

COMMISSION OF INQUIRY INTO THE
USE OF DRUGS AND BANNED PRACTICES
INTENDED TO INCREASE ATHLETIC PERFORMANCE

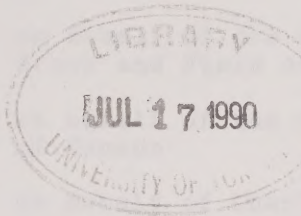
B E F O R E:

THE HONOURABLE MR. JUSTICE CHARLES LEONARD DUBIN

HEARING HELD AT 1235 BAY STREET,
2nd FLOOR, TORONTO, ONTARIO,
ON TUESDAY, JUNE 20, 1989

VOLUME 62

COMMISSION OF INQUIRY INTO THE
USE OF DRUGS AND BANNED PRACTICES
INTENDED TO INCREASE ATHLETIC PERFORMANCE



B E F O R E:

THE HONOURABLE MR. JUSTICE CHARLES LEONARD DUBIN

HEARING HELD AT 1235 BAY STREET,
2nd FLOOR, TORONTO, ONTARIO,
ON TUESDAY, JUNE 20, 1989

VOLUME 62

(i)

C O U N S E L:

Ms. K. CHOWN	on behalf of the Commission
R. BOURQUE	on behalf of the Canadian Track and Field Association
A. PREFONTAINE	on behalf of the Government of Canada
A. PRATT	on behalf of Charles Francis



Digitized by the Internet Archive
in 2024 with funding from
University of Toronto

<https://archive.org/details/31761119682409>

(ii)

I N D E X O F W I T N E S S E S

NAME	PAGE NO.
WILLIAM FREDERICK CROTHERS: Sworn	10514
Examination by Ms. Chown	10514
Examination by Mr. Pratt	10569
Examination by Mr. Bourque	10570
MILTON BRUCE OTTEY: Sworn	10602
Examination by Ms. Chown	10602
Examination by Mr. Bourque	10639

--- Upon commencing.

THE COMMISSIONER: Ms. Chown.

MS. CHOWN: Mr. Commissioner, our next witness is Mr. Bill Crothers. He is present and ready to be sworn.

WILLIAM FREDERICK CROTHERS: Sworn

--- EXAMINATION BY MS. CHOWN:

THE COMMISSIONER: Ms. Chown.

MR. ARMSTRONG: Yes, thank you, Mr. Commissioner. Mr. Crothers is with us this morning labouring under a bit of a toothache, but he say he maybe pulling some medication out of his pocket. He simply wished to alert you it was nothing on the banned list.

THE COMMISSIONER: All right.

MS. CHOWN:

Q. Mr. Crothers, I understand that you were born in Markham, Ontario, December 24, 1960?

A. 1940.

Q. I made you younger than you are, I sorry, 1940?

A. I look nice and young, but I am not really that --

Q. You attended public school in the Toronto area and high school at Agincourt, it is now known as Agincourt Collegiate Institute obtaining your grade 13 from there in 1959?

5 A. That's correct.

Q. You then went on to the University of Toronto to study pharmacy and obtained your degree which is a Bachelor of Science in Pharmacy in 1963?

A. That is correct.

10 Q. And as far as your employment has gone, you have been long involved in the field of pharmacy working first as a pharmacy intern during your years at the University of Toronto?

A. That's right.

15 Q. And following graduation, I believe as part of your qualification as a pharmacist you worked for one year?

A. I had six months of internship after I graduated before I received my licence.

20 Q. And you, in fact, recieved your licence in pharmacy in December of 1963?

A. That's correct.

Q. And since that time you have worked full time as a licenced pharmacist in the Markham area?

25 A. That is right.

Q. In fact you owned and operated your own pharmacy in Markham up until 1987?

A. That's correct.

Q. At that time you sold your pharmacy and continued on a part time basis up until the present?

A. Yes. Actually I had several pharmacies and I sold them. I sold them all in '87 and '88.

Q. And you worked managing one of the stores?

A. Until December of this year. Currently I am working part time as a pharmacist.

Q. I understand you also as well have other things to occupy your time in that you ran for and were elected as a school board trustee for the York Region Board of Education, taking office in December of 1988?

A. That is correct.

Q. You are married and you have three children: two daughters and a son?

A. That is correct.

Q. How old are your children?

A. Nine, 12 and 14.

Q. Are they in the York Region Board of Education?

A. Yes, they are. One in secondary school, two in elementary school.

Q. Mr. Crothers, I would now like to turn to your athletic career. Many of us, of course, followed your running career with great interest in the sixties. I understand that you had some brief forays into running when you were in public school?

A. Yes.

Q. All right. That was in a rather sort of field day kind of events?

A. Yes. The public school competitions in those days weren't nearly as well organized as they are today. I was also very small, I think, in public school. The best I ever finished in a race was fourth in my class. I was not what you would call a prodigy as an athlete.

THE COMMISSIONER: I understand that.

MS. CHOWN:

Q. It was really when you went on to high school in Scarborough that you began to focus on track events, and I understand that you first started out doing sprints and hurdles?

A. That's right.

Q. And when was it that you began to focus on the quarter and half mile?

A. Actually not until I got to university, although I did run some half miles in high school. My

last year of high school I went back to running the shorter races, the 100, 200, and 400. And I guess when I started to attend university I started running half miles primarily. I would run the odd quarter mile and the odd mile, but from university on I was primarily a half miler.

Q. And staying for a moment if we can in your high school days, I understand in fact that when you were in grade 13 in 1959, you were the senior OFSSA champion for the 440 yard distance?

A. Yes, that's correct.

Q. Who was your coach in high school?

A. Started out with a fellow by name of Earl Deacon who was the phys. ed. teacher at my high school. By the time I reached grade 13, Earl was no longer at the school. The phys. ed. teachers at the school were -- served as my coach: Mr. Wade, Mr. Nighswander. There were a few of them. When I got to university I changed coaches then.

Q. Did you have a club affiliation while you were in high school?

A. Gladstone Athletic Club when I was in high school, and then when I graduated from high school I started training with the University of Toronto, and then I switched to the East York track club and that's where I did most of my competitive running was with the East York

Track Club.

Q. As we heard earlier then you were at the University of Toronto between 1959 and 1963. And you in fact joined the East York Track and Field Club in the fall of 1959?

A. Yes, sometime in that fall or winter of '59. I don't know the exact month, but the clubs used to train together because we had the same coach. The East York Track Club coach was in fact the University of Toronto running coach. So that's the main reason why I became a member of the East York Track Club.

Q. That coach was Fred Foot?

A. Fred Foot, yes.

Q. A well-known track coach.

A. Yes, an appropriate name.

Q. How long was Mr. Foot your coach?

A. Until I stopped running, I guess, essentially in 1969. So, for the better part of 10 years.

Q. You mentioned earlier that the events that you concentrated on at your university days were some of the longer distance events than you had competed in in high school?

A. 400, 800. I also used to run 400 hurdles. I was the intercollegiate champion of 400 meter hurdles one year. I don't remember exactly. I suspect I

won the 400 and the 800 all four years at university then.
I am not positive about that, but I think I probably did.

Q. At one point you were also running the
1,500 meters.

5 A. I have run 1,500. I didn't run any of
them in Ontario Intercollegiate racing, but I did run
miles or 1,500 meters at various competitions.

Q. Through your university years were you
competing for the University of Toronto as well as in club
10 competitions leading on to provincial and international
competitions?

A. Yes.

Q. I would like to if I could now turn to
a few of the highlights of your competitive career during
15 the sixties.

In 1961, I understand that you won the
Canadian title in both the 440 yard and the 880 yard
distances?

A. I think so.

20 Q. And at least my records tell me that
you held both those titles in until 1965?

A. I think that's correct.

Q. 1962 you attended Commonwealth Games in
Australia?

25 A. Yes, in December of 1962. That was

also my last year at university, but I took a year off --
at least a month off university to attend the games.

Q. What were your events in 1962 at the
Commonwealth?

5 A. The quarter mile which is 440 yards,
the half mile which is 880 yards, and I ran the mile relay
as well.

Q. How did you do?

A. I was beaten in the semifinals in both
10 of the events. And the Canadian team of which I ran the
anchor leg we finished I think sixth in the mile.

Q. In the mile relay.

THE COMMISSIONER: Is that the mile relay?

15 THE WITNESS: The mile relay. I had
distinction of being the very last athlete to cross the
finish line in the 1962 Commonwealth Games, because we
finished last in the relay and I was running the anchor
leg.

20 THE COMMISSIONER: But you enjoyed
yourself, did you?

THE WITNESS: Yes.

THE COMMISSIONER: Did you run the 440 leg
of the mile?

THE WITNESS: That's right.

25

MS. CHOWN:

Q. Turning to 1963, it was a particularly banner year in your career, that year I understand you posted the two fastest 880 yard times in the world.

5 A. That's correct.

Q. Those times were both run in the United States, one in Los Angeles where you ran 1:47:1?

A. I believe at Compton, yes.

10 Q. And again a second race in the U.S. where you ran 1:46.8.

A. That was the USAU championships in St. Louis that year, yes.

THE COMMISSIONER: Was that the world record at that time?

15 THE WITNESS: No, it wasn't the world record, it was the second fastest time I believe in the world. It was in fact a USAAU record.

THE COMMISSIONER: A North American record then.

20 THE WITNESS: Yes.

MS. CHOWN:

Q. In 1964 you were a member of Canadian Olympic team that attended the Olympics in Toyko. And you won a silver medal in the 400 meters?

A. No, 800 meters. I was a semifinalist in 400 meters, but I was a silver medalist in 800 meters.

THE COMMISSIONER: Did most of them run both events that were doing, the 800?

5 THE WITNESS: No, there were only a handful of us that ran --

THE COMMISSIONER: That ran both events?

THE WITNESS: Peter Snell in fact in that games ran the 800 and 1,500; I ran the 800 and 400.

10 THE COMMISSIONER: The 400 --

THE WITNESS: There were two of us --

THE COMMISSIONER: Did you come second there, did you say?

15 THE WITNESS: I was second in the 800 meters.

MS. CHOWN:

Q. And in fact though your time in the 800 meters was a Canadian record?

20 A. I think it still is.

Q. That was 1:45.6.

A. That's right.

Q. It's your understanding that that record still stands?

25 A. I think so. I am not -- I understand

it was broken last summer, but I am not sure if it would be recognized or not because it was not run in an automatic-timed race. It was in a hand-timed race.

Q. A hand-time record.

5

A. So, I may still have it, I may not; I am not sure.

Q. All right. In 1965 you participated in the World University Games placing first. And was that the 800 meters?

10

A. Yes, that was in Budapest, Hungary.

Q. And 1965 was also the year that you beat your prominent rival, Peter Snell of New Zealand in a race that was held at Varsity Stadium?

A. Once in Varsity, and once in Oslo.

15

Q. In the rankings for the 800 meters throughout the decade of the sixties, I understand that you were ranked second in the 800 meters to Mr. Snell overall for that period?

A. Yes.

20

Q. I believe you told me with respect to the races that you beat Mr. Snell in in 1965, those were the first races that he had lost outside of New Zealand?

A. My understanding was the race that he lost in Toronto was the first time he had been beaten outside of New Zealand, yes.

25

Q. All right.

A. He was pretty good.

Q. I am sure he would probably said the same about you. In 1966 you were a member of the Canadian team that went to the Commonwealth Games that were held in Jamaica?

A. That's right.

Q. What events did you participate in that year?

A. The quarter mile and the half mile and the mile relay.

Q. Do you recall how you did?

A. I was fourth in the half mile, and we were second in the mile relay. I think I was fifth in the 440.

Q. 1967 was the year of the Pan Am Games that were held in Winnipeg, and you were a member of Canadian team that year as well?

A. Yes.

Q. The events you participated in there were they the quarter mile and half mile as well?

A. I can't remember if I ran the quarter mile or not. I think I did, I am not positive. I was second in the half mile. And we were also second in the mile relay.

THE COMMISSIONER: Who was on those team?
Who was on the relay time those days?

THE WITNESS: The relay team was Don
Domansky, Ross MacKenzie, Brian McLaren, and myself. That
5 was the team in Kingston, Jamaica.

THE COMMISSIONER: All right.

THE WITNESS: And --

THE COMMISSIONER: Did you run the anchor
leg all the time?

10 THE WITNESS: Russ Brooker ran the -- no,
no. The quarter mile hurdler. Yes, I did, I ran the
anchor. One of fellows was hurt in Winnipeg and it might
have been even been Domansky who was hurt.

THE COMMISSIONER: All right.

15 THE WITNESS: But I did, yes, I ran the
anchor leg.

THE COMMISSIONER: Okay.

MS. CHOWN:

20 Q. And in 1968, which I understand was
really the last year of active competition --

A. Yes.

Q. -- you had, you were a member of the
Canadian Olympic team that went to Mexico?

25 A. Yes. I probably shouldn't have been,

but I was.

THE COMMISSIONER: Pardon?

THE WITNESS: Sorry.

THE COMMISSIONER: You said something?

5 THE WITNESS: I said I probably shouldn't
have been but I was.

THE COMMISSIONER: Okay.

MS. CHOWN:

10 Q. I understand you make that comment
because you had had some surgery just prior to attending
at the games --

A. I had some surgery on my Achilles
Tendon. I was actually still in the hospital when the
15 team left to go to Mexico City, but I went down and joined
them afterwards. Subsequently, I ran -- all I ran in the
games was the 1600 meter relay. I didn't run any of the
events.

Q. How did that relay turn out for you?

20 A. Not very well. We were eliminated in
the first round.

Q. In 1969 you have told me you kept your
hand in slightly in that you ran several competitions
running the hurdles?

25 A. Yes.

Q. Overall then looking at the decade of the sixties, I understand that at one time during the sixties you held all the national Canadian records for distances ranging from the 440 yards to the 1500 meters?

5 A. I think so.

Q. And of 75 indoor meets that you participated in during that decade, you registered wins in 65 of those?

10 A. I don't know the exact numbers, but I won far more than I lost. Those numbers would seem to be close.

Q. You told me that in 1969 you made a decision to retire from active competition. And why was that?

15 A. I was 28 years old, I was a partner in the pharmacy, I got married that year. I was also involved in the administration of the track and field association, was in charge of setting up an international competition program for the track and field athletes.

20 My priorities just changed. And besides I was having injury problems. My Achilles were always going to give me problems if I kept running. So, it was time to.-- it was time to stop.

25 Q. When you say you were involved in a partner in the pharmacy, in fact you had been working full

time as a pharmacist --

A. Oh, yes.

Q. -- with time off for meets since 1963?

A. I became a partner in the pharmacy --

5 that's right. I became a partner in the pharmacy in 1965
and I bought out my partner in March of 1969. So, I was a
sole owner of the pharmacy at that time.

Q. So, life was getting considerably more
busy for you at the end of sixties?

10 A. Yes.

Q. Did you maintain a connection with the
world of track and field following your retirement as a
competitor?

15 A. Yes. I was involved as a director of
the Canadian Track and Field Association for another --

Q. For what period was that?

A. I am sorry?

Q. For what period was that?

20 A. Well, I can't remember the exact times
for the Canadian Track and Field Association. I know I
was still a director in 1973. I was a president and I wa
adirector of the Ontario Track and Field Association --
Southern Ontario Track and Field Association -- Central
Ontario Track and Field Association, excuse me, prior to
25 that. I was also in the late 1960's a member of the

Fitness and Amateur Sport Directorate. I think from '65 to '68 although it might have been '64 to '67. All those things that in that time period.

I also used to start a lot of the --
5 several of high school track meets in the Toronto area as a starter. I did the city championships for about 20 years and the Scarborough Track and Field championships for about the same period of time.

10

15

20

25

Q. In fact, you told me earlier as a result of your role as a starter in those meets, you have observed many of the athletes that have come to prominence in Canada in the early days as high school competitors?

5 A. Yes, that's correct.

Q. And amongst those would be Charlie Francis when he was running in high school?

A. Yes.

10 Q. And then Angella Issajenko, then Angella Taylor?

A. Yes, Angella Taylor at the time, yes.

Q. Are your children currently involved in competitive athletics?

15 A. Yes. Not at that -- not at that level yet but they're at the enjoyment level. They -- all of them play competitive sports or have played competitive sports at various times. None of them specialize, none of them are exceptional athletes but they're all athletic. They're all relatively gifted academically, so that's more
20 important than the athletics.

Q. Mr. Cruthers, I'd like to turn now, if we could, to get the benefit of the perspective that you'd might be able to share with us on the differences that you have noticed and have experienced from your own athletic
25 career in the training and coaching of athletes as you saw

it and participated it in the 1960's and as you followed it in the 1980's.

Am I correct in saying that while you haven't been actively involved in the athletic scene, you have followed track events up to the present time?

A. I followed the events and I still have a lot of friends who are still quite active and quite involved in the sport and once you've got a certain background or a certain understanding, you don't lose that. You keep the -- you keep the perspective, you keep the interest. I'm not ignorant of what's going on, although I don't know the comings and goings of all the current athletes.

Q. Well, looking first of all at training, can you give us a thumbnail sketch of the kind of training that you did as a 400 metre, 800 metre or 440 yard, 880 yard runner in the 60's, what that involved for you?

A. Well, our training was primarily geared to do two things: One, to keep us in shape and, two, to keep us interested. I say that because our sport was strictly an avocation. So if you didn't enjoy it, you didn't do it.

We trained virtually 12 months of the year. In order to do that, we had to -- our coach instituted a pretty fair variety in the training.

We'd also, when I was university, we had -- university competition was in the fall. We ran indoor competition in the States in January to March and we had our outdoor competition from May until August. So, we
5 kept changing -- changing our type of training and essentially, what it would amount to is in the fall, prior to the university competitive season, we did distance running, running on the roads, running on the grass around the university, mixed with some track training so that we
10 could, in fact, run a track competition.

Once the university meet was over in the fall, then we had to get ready to start training indoors. We trained at the University of Toronto at Hart House which is a very, very small indoor gymnasium, about eleven
15 and a half laps to the mile on sort of a rubberized banked track around the top of the basketball gymnasium in Hart House.

In order to be able to train there, we had to get our feet used to the indoor running so that they
20 didn't blister. So, we would do a lot of distance running out on the field behind Hart House and then at the end, we would go up and do some sprints indoors to get our feet used to it. Then we would train indoors, primarily a sprint kind of a training indoors.

25 By the time March came around, we were bored

or tired of running indoors. The indoor season, the competitive season was finishing, so then we would go out and either, depending on the weather, either run on the roads for long seven, eight mile runs or we would run over
5 to Riverdale Park and run what we called hill work. In other words, repeat runs up and down the down the hills. That was our type of resistance running.

From there, we would move up to the track, in -- some time in April and start training in the track,
10 getting ready for the outdoor competitive season.

Some of the athletes would do a little bit of weight training. There were very, very few of the athletes that were in my track club did any weight training and, in fact, I think I lifted weights one day in
15 my life and that was for only about five minutes.

THE COMMISSIONER: They weren't using weights in those days?

THE WITNESS: Pardon?

THE COMMISSIONER: None of your colleagues were doing weightlifting?
20

THE WITNESS: Very, very few. Some of the sprinters were doing it. Like, Harry Jerome who was training there, he certainly did weight training but the middle distance runners and the distance runners, we did
25 not use weight training.

We got our type of weight training by running uphill and that was our resistance work. But, we did it in a manner, in the same style in which you were actually racing and it was a substitute, or I guess, weight training was a substitute for the kind of work that we did.

THE COMMISSIONER: I see.

MS. CHOWN:

Q. You say that you recall lifting weights on one occasion yourself?

A. Oh, just because somebody talked me into it.

Q. It was not something that, at that point, you felt was helpful to your training?

A. It was not something that appealed to me.

Q. Let me just pick up on something you said earlier. You described running for you at that time, in the '60's, as an avocation. You were, of course, either during that period a full-time student or you were working full-time?

A. That's right.

Q. Considering it, as you did, as avocation, did that change, in any way, your attitude to

the sport?

A. I don't know if it changed my attitude because my attitude was always the same. I mean, the attitude that we had was that the sport was very
5 important. I mean, I literally travelled around the world to competitions. But it was only one part of our life. A very important part but, in fact, it was the second most important part.

As long as I was at school, my school work
10 always came first. And, in fact, even while I was at -- certainly in high school and university, I went to school, I trained and competed in track and field and I also had a part-time job that was the method whereby I had spending money and paid for my education.

15 I was, I guess, lucky in one sense in that when I started university, my first year of university, I won a number of academic scholarships which virtually governed my first year's tuition. But each subsequent year, I had to -- we earned the money to pay for our
20 education and there were no such things as sports scholarships or government funding or such in those days.

Because of that, we had a -- I suppose, a different kind of an attitude and our sport literally was an avocation. It was something you did in your spare time
25 and you did in place of a lot of things that other people

did to use up their time, like socializing. It was a form of socialization as well because we did not training by ourselves, we trained as a group. Our friends were the people that we trained with. The same group that trained together, we did a lot of our socializing together as well.

Q. Let me turn to the question of coaching. You mentioned that Fred Foot was your coach for the better part of ten years?

A. That is correct.

Q. Can you commence briefly for us on the role of the coach, as you experienced it personally, and any observations you have about it generally?

A. In my particular case, and I think it was fairly typical, my coach decided what I did in the workouts and he was one who, in the sense, chose the workouts, decided what the training would be and, if anything, I suppose you could say it was a partnership. I don't think that role has changed, although in some instances, some athletes and I suspect even then more so now, would, in a sense, dictate the terms of their training.

In my case, virtually 98 per cent of the training decisions were made by the coach. We had subtle ways that we could get away or let the coach know that you

felt tired or you didn't want to do something. Like, what are we going to do Fred and then ram off and he might say, okay, you can do that. But usually, he was the one who decided what the training was.

5 There was a fair degree of trust that was involved and the coach was a very, very integral part of whatever the athlete accomplished. An athlete's really nothing without a coach and -- when I would talk to groups that used to always stress it, no matter how committed the
10 athlete was, the coach was more committed than the athlete because he usually had several athletes. And if we spent a couple of hours a day on our training, or with the workouts, the coach invariably spent three hours.

 And for him it was an avocation, as well.
15 Because my coach was an employee of the Metropolitan Police Department and when he retired, he was a budget chief with the police department. So, it was just as much an avocation for him as it was with us and if we went away to a track meet, he had to do it -- work around his job
20 the same way we did or the same way we worked around our schooling.

 One of the differences, I guess, between ourselves and even a lot of the American athletes in those days was that in my university, I missed very, very --
25 other than the month I took off to go to Australia -- I

missed very, very little schooling because of my track and field.

Q. How were you able to arrange that?

A. Well, one year I did not have any

5 Friday afternoon classes, one of my four years at university. I missed three years of schooling that year because I went to England for a track meet, so I skipped my classes on Friday morning.

10 The others years, when we went travelling indoors, I would take my training equipment to my classes and leave about 3:30 and leave straight from the class to catch a taxi to the airport, fly to New York or Boston or wherever, and compete that same night.

15 Because of that, there was a very healthy relationship between the professors because they knew and understood that I was not using my athletics as a method to avoid going to school, but it using it as something to supplement. So, they were very, very helpful to me and we developed a very good understanding because of that.

20 Because, as I say, we never used our sport as a method to avoid doing something else. It was something to add to our academic activities.

Q. Turning to another area, we've heard considerable evidence at this Inquiry about the roll of diet and vitamins and the involvement of sports physicians

25

in the training of athletes and assisting them were sports related injuries. Can you comment on those two areas as they existed or not in your period of competition?

5 A. I suppose they existed. There's much more emphasis today placed upon that but I think there's a number of reasons for that.

 Number one is we're somewhat more sophisticated today than we were then. We're much more inclined towards fads or such today than what we were
10 then. The reality is that if you're an athlete, while you do need a proper diet and it's certainly beneficial, the reality is, if you're training and you're burning up four or five or 6,000 calories a day, you have got to consume enough food to produce those calories and if you're going
15 to consume that much food, unless it's absolute junk food, you're going to get all the nutrients and all the requirements that you need.

 Nevertheless, most of the athletes today still resort to supplementing their diet with vitamins.
20 It's more like an insurance policy where you're doing it just in case you happen to be missing something else. And I suspect 90 per cent of what athletes consume is really not -- is really not required.

 THE COMMISSIONER: That's not a very good
25 sales pitch for your business, though.

THE WITNESS: That very well may be but the reality is that, as athletes, we're very, very prone to wanting to take every advantage that we've got. The reality is that it's probably over -- it's probably over-emphasized the value of that.

Having said that, I mean, if you're undernourished, you're not going to be a very good athlete. But if you're burning, as I said, if you're burning four or 5,000 calories a day, you're not likely to be undernourished.

Q. Dealing with the question of sports related injuries, when you suffered problems such as you mentioned with your achilles, were there physicians available to you that were specialists in sports medicine?

A. Not really. There were the odd physician, not to the same extent now, because physicians didn't specialize in the standard treatment. If you went to a general practitioner, they would just say, rest it.

There were a number of -- most of the professional or sports teams around either had physicians or they had trainers who were their physiotherapists or, in the odd case, a chiropractor who specialized in sports training or sports injuries. Those people were available. They weren't just as numerous as they are today.

Q. We've heard some evidence in the

hearings here about the concept of dedicated physician s
or dedicated physiotherapists who may be assigned to even
individual team members or particular teams rather than a
Commonwealth Games team or an Olympic team taking the
5 benefit of the overall doctor.

Was that concept of dedicated physicians and
physiotherapists available in your day?

A. No. In the '64 Olympic Games, for
example, we had one part-time physician with the whole
10 Olympic team and there was one physiotherapist for the
whole Olympic team. And I don't remember the exact number
but maybe a hundred, somewhere between 90 and 100 athletes
on the '64 Olympic team.

To say there was one physician who was
15 really part-time and he was available two or three hours a
day and one physiotherapist. I happened to make use of
the physiotherapist because I was having trouble with my
achilles, even in '64, so I usually had a treatment after
a workout, but we didn't -- not to the same extent now and
20 that's better today because the athletes are able to get
the support that they require. But that was not available
back in the 60's.

Q. Now you touched earlier on the question
of the sources of financial support that were available to
25 you and I just want to emphasize that. There was no

consent of carded athletes as there is no today. No concept of directing funding to athletes provided by the government?

5 A. No, that started in the 1970's. The Fitness and Amateur Sport Act, I believe, was proclaimed in 1962 or '63. And when it came into being, I believe in 1965, when Deifenbaker proclaimed the Act, it was supposed to be \$5 million for all of Canada and that was split between athletics, recreation and post-graduate work.

10 They ran into a osterity program in '63, so it was introduced \$1 million a year and then \$1 million added to it for each of the next four years until they got up to the \$5 million mark.

15 Prior to -- when Canada was award the 1976 Olympic Games in Montreal, then the government funding -- the amounts of money available, I guess you could almost say exploded, and a lot more money was made available for athletes.

20 Our total funding, the government, I suppose, provided about 50 per cent of the money for the Canadian Olympic Association and for the Canadian Commonwealth Games Association. Very minimal amounts of money that were made available to the sports association and the amounts of money that were available were to
25 send -- to pay the better athletes travel expenses to get

to national championships.

To that extent, I was the beneficiary of maybe one or, at the maximum, two competitions a year at the expense of the association or the Canadian government.
5 We got our funding in a sense from ---

Q. That's where your travel expenses and so on would be paid?

A. That's right. We got our expenses from the meet promoters that we were invited to compete in
10 meets. So, they paid our travel expenses and we were allowed \$20 a day spending money and that was to pay our hotel and meals and such. That was what the limits were in -- back in the '60's.

Q. Apart from the monies that you got in
15 those particular circumstances, to compete, your day-to-day expenses, as they related to training, equipment, et cetera, were covered by you ---

A. That's right.

Q. Out of your personal funds that, you
20 indicated to us, you either earned by part-time jobs or ---

A. We didn't need a lot of money but we didn't receive any. I mean, it didn't cost us anything in the sense to run or to train. But we did not receive any
25 support for the balance of our living activities.

Q. And related to that, can you comment, if you will, what kinds of monies were available to athletes in the 60's for such things as commercial endorsements, performance fees and so on?

5 A. There may have been some that were taking advantage of it but they couldn't do it legally. They were not allowed to endorse products. There were athletes who took money under the table but they would have to do it under the table. The maximum that we were
10 allowed was \$20 a day expense money. That was it. That was the most that you were permitted to receive. As I say, there were some athletes who received more than that and -- but, again, it was under the table.

15 Q. There was not the concept, as I take it that we have today, of an athletes reserve fund managed by the CTFA to hold such monies for the benefit of the athlete?

A. No, that didn't start until -- I'm not sure if it was the late 1970's, in that time frame.

20 Q. Mr. Cruthers, I'd like now to turn your question to -- turn your attention to the question of anabolic steroids and other performance enhancing drugs and to obtain from you what information and exposure you had to the substances in the 1960's.

25 And, first of all, dealing with steroids

themselves, as we know in the 1960's, these substances were not banned substances. But can you tell me what discussions or information you received about steroids during that period?

5 A. Well, they were being used. The prime users of the anabolic steroids in those days were the strength events in track and field. That is, the throwing events, the shot put, the discus, the hammer thrower and I suspect the javelin. And it was not -- it was not
10 uncommon for the throwing athletes to be use the steroids then.

 To the best of my knowledge, it was quite uncommon for athletes, other than them, to be using the steroids although there were suggestions of a few track
15 athletes starting to use them in the mid to late 1960's.

20

25

THE COMMISSIONER: Canadians or Europeans
or --

THE WITNESS: Well, I knew Canadian throwers
who were using them in the --

5 THE COMMISSIONER: In those days. What
about the other, any other athletes?

THE WITNESS: I don't know, I am not aware
of --

10 THE COMMISSIONER: You said there was some
that were using it that you understood.

THE WITNESS: Yes.

THE COMMISSIONER: Were they any teammates?
I am not asking for --

15 THE WITNESS: Oh, no, no. Any of the
Canadians that were using, to my knowledge, that were
using drugs in the late 1960's --

THE COMMISSIONER: Were the throwing
events.

20 THE WITNESS: -- were doing so because they
were at school or training in the States.

THE COMMISSIONER: I see.

25 THE WITNESS: And there were -- there was
the odd sprinter that I am aware of that was using them in
the late 1960's. I shouldn't say the odd. The only one I
can say that I knew was using them, and I am not sure if

it was the late 1960's or early seventies would be Mr. Francis when he was at university because I had a conversation with him in the late 1960's-early seventies, again I am not sure whether it was '68, '69, '70, '71.

5 THE COMMISSIONER: All right.

THE WITNESS: About using them. But then the anabolic steroids really were popularized in Californai and Charlie went to university in California. But the throwing -- I mean I had discussions with a number
10 of throwers about the steroids. I am a pharamcist and --

THE COMMISSIONER: Well, I was going to say you would know something about them as a pharmacist?

THE WITNESS: That's right. And usually the conversations -- well, always the conversations were
15 initiated by the other person, when they found out I was a pharmacist, they wanted to get a little bit of information.

The main difference between the steroids that were used in those days and today was the dosage. They were using pharmaceutial doses in those that were
20 using them, my understanding was, in the 1960's, which --

THE COMMISSIONER: Now, they are beyond that.

THE WITNESS: Now, they are using 10 and 20
25 and 30 times the dosages from what they were using then.

THE COMMISSIONER: Go ahead, Ms. Chown.

MS. CHOWN:

Q. Just picking up on one point the

5 Commissioner raised with you, was it of your understanding
or information that any of your competitors in the events
that you were running in the sixties, perhaps from other
countries, may have been using steroids?

A. The only one that I can say would have
10 been in the 400 meters and the suggestion was that one of
the American competitors. And he is the first of the
track athletes that I was aware of in the 400 meters,
the gold medalist in '64, it was -- I don't think you can
say fairly common knowledge, but it was suggested that he
15 was using the anabolic steroids in the sixties. He
never -- he never denied it to me, but he never --

THE COMMISSIONER: It wasn't banned in
those days?

THE WITNESS: It was not banned, no. I
20 mean then the suggestion was, well, they have got a
secret, a secret weapon that they are using. And it was
the same -- the same way that they talked about Lasse
Viron in '72 and '76, the Finnish 5 and 10,000 meters
runner about the use of blood doping. It wasn't banned in
25 those days.

And athletes are funny, you know, if they -- we tend not to blame ourselves for our deficiencies. We tend to blame -- or to blame the fact that we lost because somebody -- the guy who beat us is doing something that -- something extra, something different, legal-illegal, but the other person had a gimmic, it was never athletes --

THE COMMISSIONER: Well, as a pharmacy student did you learn about anabolic steroids in those days?

THE WITNESS: Not a school.

THE COMMISSIONER: I see.

THE WITNESS: Because of the conversations and such, I did a number of inquiries about -- to see what I could find out about the steroids, the history of the --

THE COMMISSIONER: It wasn't a part of the course then of pharmacology? You don't learn about --

THE WITNESS: There is not much legitimate use for anabolic steroids in pharmacy.

THE COMMISSIONER: I understand that. It seems to be less and less every year?

THE WITNESS: That's right. But in those days what I found was that -- and it seemed to make a whole lot of sense to me on the evolution of the use of these things was that around the time of the war they used to use the anabolic steroids in Europe. They would put

patients after fairly significant surgery, abdominal surgery as an example, when they were hospitalized to assist them in gaining their weight and their strength back after the surgery. It was not uncommon in Europe to prescribe in a hospital setting the use of anabolic steroids.

In North American when they did studies what they found here was that there was no appreciable difference in the recovery rate of patients who were put on anabolic steroids and who were not put on anabolic steroids, probably because of diet --

THE COMMISSIONER: What we learned it has to be combined with a vigorous training program to get any effect from it.

THE WITNESS: Yes. So, they were never used to any great extent in North American.

THE COMMISSIONER: Go ahead, Ms. Chown, we have taken you off your course.

MS. CHOWN:

Q. Mr. Crothers, I understand as well that you had a conversation with Dave Steen, Senior?

A. Yes.

Q. The uncle of the current decathlete --

A. Yes.

Q. -- Dave Steen. Did that conversation take place sometime in the late 1960's?

A. It was sometime after the Commonwealth Games in '66. And David came to me and he was really quite concerned at that time. He had won the gold medal in the shot put in Kingston, Jamaica, and he came to me as a -- we were teammates and also as a pharmacist. He was deeply troubled.

There was two aspects that were bothering him at that time. One was feelings of guilt because he genuinely felt that he had cheated by using anabolic steroids. And secondly, that he was concerned about whether he had done any damage to his body by using these -- by using the anabolic steroids and was looking for reassurance or for information or such.

And subsequent to that, Dave also indicated to the association that he had in fact competed and had used steroids.

THE COMMISSIONER: Yes.

THE WITNESS: And I think he made that public sometime after Games this year when Johnson was caught, and more appropriately, after his nephew, young David, had won the bronze medal in the decathlon. And he wrote it from the angle of two things. That he was very, very proud of his nephew for competing without the use of

drugs and I guess in another sense to suggest that he had used them -- he had reported that he had used them to the association and I guess still to this day was a little bit troubled that the association had done nothing about it. They didn't even slap his wrist. They just sort of said, well, so what. And I think he is probably still -- I haven't talked to Dave for several years, but I remember reading a column in one of the local newspapers that he had written after young David had won his medal.

MS. CHOWN:

Q. The other area of banned substances that you and I spoke about earlier was your knowledge of the use of stimulants by athletes during the sixties. Can you comment on that?

A. '50's and '60's is -- primarily the cyclists were using the those, but there were track and field athletes that were using amphetamines, the stimulants to -- as a drug to assist in performance.

THE COMMISSIONER: Did your experience change as you moved on to -- you retired in sixties, I gather --

THE WITNESS: Yes. For all intents and purposes, I retired in '68, I just had fun in '69.

THE COMMISSIONER: In '68. Did you notice

any change in the use of anabolic steroids over the last few years of your career?

THE WITNESS: Any which?

THE COMMISSIONER: Any increase in the use
5 of them?

THE WITNESS: Well, to some extent I suppose, but what you have to bear in mind is that the group we were training with there was no drugs, there were no drugs. And the people that we had --

10 THE COMMISSIONER: I am wondering when you got into international competition, I gather you would --

THE WITNESS: It wouldn't have mattered to me who was using drugs, anyway, I didn't care --

15 THE COMMISSIONER: I didn't suggest you would, but I thought whether it would be a matter of discussion or comment or observation?

THE WITNESS: No, there were certainly more and the use of steroids increased dramatically as my career went on.

20 THE COMMISSIONER: Yes.

THE WITNESS: And most of my conversations about the steroids would have been in 1967 and '68.

THE COMMISSIONER: That's what I meant that's why I was asking about those years.

25 THE WITNESS: Yes.

THE COMMISSIONER: What did you observe in those latter years of your career?

THE WITNESS: There were more and more athletes that were using them. Again they were very, very
5 common in the throwing events.

THE COMMISSIONER: Yes.

THE WITNESS: Not terribly common in --

THE COMMISSIONER: The other events.

THE WITNESS: -- in the other events. And

10 sprinters, if they were using them, were just experimenting with them. And to my knowledge --

THE COMMISSIONER: What international competition from other countries? Would that be the same comment --

15 THE WITNESS: Well, the suggestion was that all the throwers all around the world --

THE COMMISSIONER: We have heard a lot about throwers; what about other events?

20 THE WITNESS: No, no, just the throwing events were the ones that were primarily and it was creeping -- starting to creep into the sprints in those days because in those days strength was not deemed to be --

THE COMMISSIONER: A factor in sprinting.

25 THE WITNESS: -- a major factor in

sprinting. And that's one of the changes that Ben Johnson had on sport, on sprinting in the world. He was one of the first of the strength sprinters.

THE COMMISSIONER: All right.

5 THE WITNESS: The same way that in my day Bruce Kidd completely changed distance running in the world because prior to Bruce, and Bruce had a profound effect on distance running in the world, because up to that point, young teenagers did not run distances in the
10 U.S.. A high school runner was not allowed to run further than a mile in high school competition. And for Bruce to run two miles they thought that this was crazy. He had trouble getting into his first indoor meet in Boston in 1961 --

15 THE COMMISSIONER: Because of his age.

THE WITNESS: Yes, he was 17 at the time. And the meet promoters did not think that a 17-year old -- it was healthy to run two miles and that he could run two miles. They were afraid something would happen to him.

20 Johnson did the same thing in sprinting in that he was the first of the really dominant strength sprinters. And now you have got speed or pure speed kind of sprinting and you have got strength sprinting. And back in our days it was -- there was just natural
25 sprinters and strength was not deemed to be a significant

factor other than in isolated pockets.

THE COMMISSIONER: As a pharmacologist, you were managing several stores -- owned several stores in the Markham area, was it?

5 THE WITNESS: Markham and Whitby, yes.

THE COMMISSIONER: Did you -- do you stock anabolic steroids?

10 THE WITNESS: Yes. In very limited quantities. The tablets used to be Dianabol which Ciba's brand of steroid, and Winstrol which is Winthrop's brand of Stanozolol.

THE COMMISSIONER: Yes.

15 THE WITNESS: A very limited, one or two injectables. I can't personally -- I -- it's been at least five years since I have dispensed a prescribing for oral anabolic steroids. And we probably averaged maybe one, maybe two prescriptions a year.

THE COMMISSIONER: What about injectable? What type of injectible anabolic steroids did you stock?

20 THE WITNESS: We very rarely, the odd testosterone, Depo-testosterone --

THE COMMISSIONER: Right.

25 THE WITNESS: -- that maybe used administered by the physicians. But very, very infrequent. It is not a product that is very widely used

in pharmacy.

THE COMMISSIONER: Well, not for therapeutic purposes?

THE WITNESS: That's right.

5

MS. CHOWN:

10

Q. Just following up on the last comment, Mr. Crothers, you indicated to me that in fact on the rare occasions that you were filling prescriptions for anabolic steroids, particularly the injectables, the prescriptions appear to have come from physicians trained in Europe, rather than --

15

A. Invariably. That's an observation that I would have made that very, very few Canadian-trained physicians were using the product. And again it goes back to the difference in the perception of the value of the --

20

THE COMMISSIONER: Going back, as you follow track and field over the years, have you detected some change in physique of our track and field stars.

THE WITNESS: How can you help but. Yes, of course. That goes back to the strength. It's primarily primarily with the --

25

THE COMMISSIONER: Well, would it occur to anybody that was knowledgeable as you are about track and field that dramatic increase, dramatic change in physique,

muscle and so on, would -- might well be as a result of steroids?

THE WITNESS: Well, steroids and weight training.

5 THE COMMISSIONER: And training, yes.

THE WITNESS: And invariably they were not exclusively --

THE COMMISSIONER: You can't have one without the other, as they say?

10 THE WITNESS: Yes.

THE COMMISSIONER: But did you, observing track and field yourself, begin to look at any of these athletes and wonder if they were on steroids?

15 THE WITNESS: Oh, I mean -- I would have told people that if you had prior to Seoul, if you had given me a list of the Canadian track and field team that with 95 percent accuracy I could have probably told you who was using steroids and who wasn't. You develop that intuition.

20 THE COMMISSIONER: Certainly a coach would be able to have a pretty good assessment, too?

THE WITNESS: It depends how sophisticated the coach were. In the track and field circles, there was certainly a lot of speculation about the --

25 THE COMMISSIONER: You were a director of

the CTFA for some years, you said?

THE WITNESS: Yes, that was back in the late sixties and early seventies.

THE COMMISSIONER: I guess in those days was
5 there any discussion about steroids amongst CTFA officials?

THE WITNESS: I -- very, very limited, almost none, because it was not a --

THE COMMISSIONER: When did you give up
10 your association with the CTFA people?

THE WITNESS: Sometime after the '72 Olympic Games. I finished my term which probably would have been taken me about to March or April.

THE COMMISSIONER: Up to that time I gather
15 it had not been a subject of discussion amongst CTFA board members --

THE WITNESS: Not --

THE COMMISSIONER: -- about the use of steroids.

THE WITNESS: Not -- not a significant
20 discussion at the time. There may have been the odd --

THE COMMISSIONER: But a keen observer of track and field could make the same observations that you could, I gather, those that follow the sport for years.

THE WITNESS: I would think so. I mean, I
25

have the advantage of knowing some of the side effects of the use of steroids because the anabolic steroids are in fact derivatives of male hormone. So, you notice there are changes that occur in females that use the anabolic
5 steroids.

THE COMMISSIONER: We have heard considerable about that now.

THE WITNESS: Yes.

10 MS. CHOWN:

Q. Mr. Crothers, just coming back to one point and that was the fact that you yourself were not involved with steroids or any performance-enhancing drugs during your competitive career. Can you tell us what your
15 are thinking was at that time whether that was something that you ever considered?

A. Steroids were never something that I would have -- that I would have considered. The only performance-enhancing drug that might have been considered
20 were vitamins and particularly vitamin E. I say that because when I -- I mentioned that in my last year of university we were in Australia for the Commonwealth Games, and the games occurred in November, the last two or three weeks in November and the first week in December.
25 We had an option in my last year of taking a half-year

course, either a course in school or doing a thesis. And, I because of my -- I knew I was going to be away, I chose to do a thesis. And the topic of my thesis was vitamin E. And I did most of my reading and most of my research in
5 that in the university in Perth, Australia when I was down there.

Q. Am I correct in understanding --

A. So, I probably took some vitamin E at some point, but if I did, it was very irregular and --

10 Q. Certainly not a banned substance?

A. No.

Q. Am I correct in understanding that your interest in vitamin E came out of some work that was done in looking at the effects of vitamin E and swimmers in
15 the University of Indiana in 1960's?

A. Yes, that was the big thing with the swimmers in those days. And I tried to find out as much as I could about the background use, because in those days there were maybe half a dozen strong proponents of vitamin
20 E around the world as a use to prevent and to treat some heart disease and certain ulcerations that occurred on the body.

What I did find was that one of the researchers that was using and advocating vitamin E
25 happened to be at the University of Indiana. And he --

because of his beliefs, he happened to talk the coach of the swim team at the University of Indiana into using fairly massive doses of vitamin E, like 1,500 to 2,000 units a day of vitamin E.

5 Concurrent with that, the University of Indiana happened to be the NCCA men's swimming champions. What literally happened then is within two or three years 90 percent of the top swimmers around the world were using massive doses of vitamin E.

10 That's the way the system -- that's the way athletes think and that's the way they work. If you think somebody else is doing something, you try it not, because you necessarily believe that it is going to achieve the results, but you are just afraid not to because the other
15 person may --

Q. Have an edge?

A. -- may have an advantage or may have an edge on you. Athletes are funny that way.

 And I guess the example I used with you in a
20 previous conversation that they are much like small business. When you want to sell an ad to a small business person you don't go and sell them the virtues of the ad, you tell them if he doesn't take it I am going to go to his competitor down the street and sell him the ad. And
25 invariably the businessman will take the ad because he

doesn't want the other person to do the advertising.
Athletes are the same way. You do something because you
think the other person is doing it.

5 If in my day, Peter Snell was the best half
miler in the world. If he does an interview and he says
that every morning before breakfast he did 100 one-handed
pushups, within three months of that article being
published, 80 to 90 percent of the half milers in the
world would be trying to do their one-handed pushups
10 before breakfast. That's just the way athletes react.

I guess I am -- maybe I am a little bit
different than some of them, but that's -- that's not
atypical of an athlete's response to the -- a lot of these
things. And it probably explains to a great extent the
15 part of the extensive use of performance-enhancing drugs
like steroids.

Q. I was going to ask you about that.
Does that same effect hold true with the use of banned
substances that athletes believe others are using them and
20 therefore are gaining an edge?

A. That is certainly the rationalization
that they use. And I think it's a fairly significant part
of the reason why they start them in the first place.

THE COMMISSIONER: Or trying to justify it.

25 THE WITNESS: That definitely. I mean it's

certainly the rationalization or the reason. That's the reason they will use to justify taking it. But I think that generally speaking that if you want to use one word to characterize athletes at that level, it's insecurity
5 might be an appropriate word.

MS. CHOWN:

Q. Finally, Mr. Crothers, I would ask you if using the benefit of your own years as an elite
10 competitor in track and field and your continued observation of the scene together with your own particular technical background as a pharmacist, is there any assistance that you feel you can offer to us and to the Commissioner about the routes that you think may be
15 successful or may be of some assistance in dealing with the question of drugs and other banned substances in sport in the future?

A. Well, I suppose if I could give you a definite answer to that they would have probably hired me
20 instead of Mr. Dubin to do the Inquiry.

THE COMMISSIONER: I think they should have done that?

THE WITNESS: No. If you really -- if you really I want to look at the problem, and I am not sure
25 that there is any way of achieving it. I am mean sure

education is one thing, but the root of the whole thing is money.

As long as there is sufficient money in the sport to produce the kind of rewards that the athletes can receive for their performances, and, more importantly, that there is enough money to support all the support personnel, the trainers, the physicians, the agents, the promoters, that is far more important. As long as there is sufficient money in the sport to make it possible for them to benefit by the performances of individual athletes, there will always be the problem. Because they are -- they achieve their benefits, not by virtue of the enjoyment they get out of the sport, but they achieve their benefits by virtue of the success that the individual athlete achieves.

And as long as they can receive material, significant material benefits from that, there will always be looking for some people who are looking for an edge and an angle.

That's the problem. That's the insidious part of it. And that's what makes it so darn difficult is that those of us who have the background, we tend to get a little bit cynical about the prospects because we -- you know that it's wrong, but you don't really know how to realistically go about getting rid of the problem. As

long as there is that much money involved, it will always be a problem. You try to suggest that you take the money away from sport and everybody screams and hollers.

5 Q. You mentioned education. You commented to me that you have some views on the ways that it might be more effective to educate athletes particularly about the side effects of steroids and other banned substances. Can you comment on that?

10 A. Oh, yes. We have a history in our society, with the recreational drugs and with these, is that the method we use to try to -- we are attempting to use to try to scare people away from the drugs is using scare tactics.

15 In the case of the anabolic steroids, we say that if you use these anabolic steroids you have got -- you are going to contract cancer of the liver and such as opposed to suggesting that if you use these things, nothing is absolutely medicine. There isn't a single drug that's known to man that is devoid of side effects. Every
20 single one of them has side effects, whether it's harmful or dangerous to certain individuals if they use them, but that's not to imply that everybody who uses that particular substance is going to suffer the ill effects from them.

25 In my view with the steroids, the kind of

side effects that are far more significant are far more important than the cancer-causing capacity of the steroids is the potential effect on their heart.

THE COMMISSIONER: Well, there is no doubt, that's clearly become very evident in the study we are doing now.

THE WITNESS: That's right. Invariably what happens is that the athletes who are susceptible to be willing to use these drugs to enhance their performance, when they stop competing, they don't get their body back to a normal rational size. They want to keep this magnificent physique, they want to still behave and act the same way.

THE COMMISSIONER: One has a direct effect on the lipids, as you know, which is the real --

THE WITNESS: Yes.

THE COMMISSIONER: Or cardiovascular illness which takes some years to develop.

THE WITNESS: That's right. And that's why so many of the professional athletes, the football players in the States are dying at the age of 37, 38, 39. It's not because of their abusing the recreational drugs, it's cardiovascular problems. That's what the cause of death is, but the real cause is what they have done 10 and 15 and 20 years prior to that.

THE COMMISSIONER: With the steroid use
over the years?

THE WITNESS: That's one of the factors.

THE COMMISSIONER: Right.

5 MS. CHOWN: Thank you, Mr. Crothers, those
are all the questions that I have for you.

THE COMMISSIONER: Has anybody any
questions of Mr. Crothers? Mr. Pratt. Mr. Bourque, I
am sorry. All right, Mr. Pratt.

10 MR. PRATT: I don't mind going first.

--- EXAMINATION BY MR. PRATT:

Q. Good morning, Mr. Crothers, my name is
Allan Pratt. I represent Charlie Francis. You mentioned
15 that you had recently been observing the Canadian track
team and you gave us an impressive estimate of your
ability to determine whether they were on anabolic
steroids or not.

I just wonder if you could make any comment
20 based on any observations you might have made of recent
track athletes outside of Canada on the same subject, i.e.
in relation to your belief as to whether they may be
involved in anabolic steroids.

A. Oh, I think they are fairly widespread
25 in certain events. Certainly in the sprints and certainly

still in the throwing events. There are far more athletes that are using steroids than there are who are not using steroids, certainly at the top international level.

In other events maybe there are other substances that are being used as opposed to the steroids.

Q. Yes, we have heard about those. Let's take the sprints in particular. Would you have any opinion about the relative percentage internationally at the elite level?

A. I suspect seven of the eight finalists in Seoul were probably using them or six of the eight.

Q. You mean the 100 meters that Ben Johnson competed in?

A. The 100 meters, yes, I suspect -- it would surprise me if it wasn't at least six out of the eight.

MR. PRATT: Thank you.

THE COMMISSIONER: Thank you. Mr. Bourque, any questions?

--- EXAMINATION BY MR. BOURQUE:

Q. Mr. Crothers, my name is Roger Bourque, I represent the Canadian Track and Field Association. You indicated to us something that Mr. Steen Senior had said regarding his revelation to the association that he had at

one time used anabolic steroids.

Can you tell us when did he make this disclosure to the association?

5 A. Well, I am only quoting him in that respect in that he wrote an article immediately after his nephew won the bronze medal. And he had indicated that in that article that he had done this sometime subsequent to the Commonwealth Games in Jamaica in 1966.

10 And that reminded me at the time that Dave had come to me and spoken to me sometime after the games at that time. And I can remember -- I remember talking to Dave about it. Dave was a journalist after he -- I presume he still is -- he makes his money by writing after the Games. I don't specifically know exactly when
15 he went to the association other than when he talked to me he was quite concerned. And my memory says that there were two things that he was concerned about. One was he felt that he had cheated and there was the ethical aspect of it. And the other was the medical. He was genuinely
20 concerned about the prospects of having done some damage to his body. That would be primarily why he would talk to me because of my pharmaceutical background, and also because I was involved with the administration of the sports.

25 So, I was one of the -- I guess one of the

elder statesmen of track and field at the time. So, he might have felt some kinship that way as he was.

Q. At the time he spoke to you were you a member of the board?

5 A. That I can't remember. I -- probably not, no, no.

Q. You were a member of the board?

A. No, I would not have been a member of the board at that time.

10 Q. Of the --

A. If I had been a member of the board then I would have been aware that he had contacted the board. So, I was not aware of that. So, I would not have been a member of the --

15 Q. When did he speak to you?

A. Sometime subsequent to 1966. So, it would have been probably six, seven months after that, maybe three months.

20 Q. And at that time you were a director of the then Central Ontario Track and Field Association?

A. I can't remember the exact dates that I was director of the Central Ontario Track and Field Association. I am sorry, I can't be of much help on that.

25 Q. Is it fair to say that in that period you were a member of the board of one or the other of the

associations?

5 A. I may not have. I was a member of the board sometime after that. But I don't know -- I can't remember. I never researched that part of it because I didn't realize it would be a concern, but I was doing a lot -- a lot of different things. I was involved in a lot of extracurricular or community groups, and I don't remember the exact dates of each of those involvements.

10 Q. Well, you were, in fact, as you said one of the elder statesmen of the track and field scene at the time --

 A. One thing I would know is I was probably a member of the Fitness and Amateur Sports Directorate at the time.

15 Q. As I was saying you were well recognized throughout Canada as one of the elder statesmen of the late sixties and early seventies --

 THE COMMISSIONER: In what year?

 THE WITNESS: Sure.

20 MR. BOURQUE: Late sixties-early seventies?

 THE WITNESS: Yes.

 MR. BOURQUE:

 Q. Is that correct?

25 A. Yes.

Q. Is it -- could it not be possible that when Mr. Steen Senior remarked in this article that he had brought it to the attention of the association he was really saying he had brought it to your attention?

5 A. I don't think so.

Q. Did you talk to him about it?

A. Since then?

Q. Yes?

A. No, I haven't talked to Dave for three
10 or four years.

Q. The Commissioner asked you what discussion if any there was amongst the board members of the CTFA regarding steroids back when you were a member of the board. And I believe you said there was none really?

15 A. I don't recall any significant discussions, no, because in Canada it wasn't a significant issue in those days.

Q. Did the association have any kind of doping rule or policy at that time?

20 A. I don't think so. I don't know other than they would have had the association or at least the policy that they didn't believe in it.

Q. Sure?

A. Whether they had any rules or you know
25 I don't --

THE COMMISSIONER: Didn't belief in what?

THE WITNESS: Sorry?

THE COMMISSIONER: You said didn't
believe --

5 THE WITNESS: Didn't believe in the use of
the things.

THE COMMISSIONER: I understand?

THE WITNESS: They would have that, but I
don't think there were any formal policies that I am aware
10 of anyway.

MR. BOURQUE:.

Q. Can you tell us during the period that
you were a member of board of the association what do you
recall was the awareness level in your day of the
15 association at the board level regarding the ethical or
the medical implications of steroids use?

A. I don't think there would have been any
formal thing. It would have been just strictly
individual, individual members.

20 Q. Well, amongst the individual members,
then granting some more formal -- what was the general
awareness level?

A. I suspect the majority of them weren't
even aware that drugs were being used and would have been
25 completely ignorant of it.

5 A. The only other one who might have been
at the time, and I'm not sure at what point Dr. Clement
became a member of the Track and Field Association, but
Dr. Clement and I were both involved with the -- with
setting up the international -- our international
committee at the time. So, Doug and I, I'm sure, probably
had some informal discussions about the use of stimulants
or drugs, or whatever, at that time.

10 But, as I say, it was not a problem in
Canada. There were not -- there were very few athletes,
other than a few throwers, who were in fact using -- that
it was knowledge that they were using -- that I had
knowledge that were using the steroids.

15 THE COMMISSIONER: What about weightlifters
in those days?

 THE WITNESS: I didn't know a whole lot
about weightlifters in those day. But subsequently, it
would appear that they were using them as well.

20 MR. BOURQUE:

 Q. Now, sir, if we can move on, I'm
intrigued by your comment that you say you could pick out
from a picture of the Canadian Track and Field team ---

25 A. Well, not from a picture. If you give
me a list of them, of the athletes, and if I get a little

bit of profile on each one of them, their performances or see them or something, that I could have told you probably within five per cent accuracy who was and who wasn't.

5 Q. I'm sorry. I understood you to be talking about physical appearances when you said you could select athletes with 95 per cent accuracy who were on steroids? Now, that's ---

A. If that was the impression you got, that would be correct.

10 Q. All right. So, it's not a matter of looking at them?

A. No.

Q. And what would you look for in terms of -- I suppose, their increase in performance levels?

15 A. Oh, yes.

Q. What else would you look for?

A. Well, the age of the athlete, when the performances changed, physical characteristics would certainly be a -- be one of them, both male and female.

20 Progression of time --

THE COMMISSIONER: Physical appearances plus the other analysis?

THE WITNESS: Oh, yeah. All of them taken in context. Not any one individual characteristics. It's
25 taken in context. And -- for example, if you knew a young

lady, for example, who -- who was a 17, 18, 19 year old
and you knew what she looked like at one time and six
months later, she was showing a little bit of signs of
facial hair and put on 15 or 20 pounds and her voice
5 seemed to have changed, you would have a fairly strong
suspicion that perhaps that individual had been using
anabolic steroids. There is a whole of lot individual
factors.

10

MR. BOURQUE:

Q. Are you speaking hypothetically now?

A. Sure.

Q. Or do you know of an instance in which
that has happened in the track and field scene?

15

A. I've had conversations with other
people who were coaches who would make these kinds of
suggestions to me, yes.

Q. Canadian coaches?

A. Yes.

20

Q. Like who?

A. Friends of mine. For example, a Brad
Hill in London who is not an international coach.

Q. Brad Hill?

25

A. Just an ordinary coach who would make
some observations that they would see of things. I

certainly had an awful lot of conversations with Andy Higgins because Andy and I were involved with the same track club.

Q. We've certainly heard from him.

5 A. Yes. I was not unacquainted with Charlie Francis. I knew Charlie as an athlete both starting some of his races, as a co-competitor, because Charlie was just starting as I was finishing. Very limited contact with him since then but I certainly knew
10 him in the late '60's, early '70's.

Q. I'm sorry, I understood you were telling me about coaches who could point out to you athletes who they thought were on steroids -- anabolic steroids by virtue of changes in their appearance and
15 other physical characteristics?

A. They would make the observation of changes in appearance where they would come -- athletes would come into Toronto and they would make this observation. Now, having said that ---

20 Q. Including Mr. Francis?

A. Pardon?

Q. Including Mr. Francis?

A. What do you mean? Charlie wouldn't have said that to me. I haven't really talked to Charlie
25 about any of this kind of stuff since the early 1970's.

Q. You see, I'll tell you why I'm intrigued. I recall that Dr. Andrew Pipe, the Chairman of the Sport Medicine Council of Canada Advisory Committee on Drug Use in Amateur Athletics, and a medical doctor
5 qualified to practice here in Toronto, in the course of his cross-examination by Mr. Julian Porter for the College of Physicians and Surgeons admitted that while changes in physical appearance or changes in physical characteristics are thought to result from steroid use, he himself could
10 not tell if a man in short pants standing before him was using anabolic steroids or not.

A. I couldn't either.

THE COMMISSIONER: I'm not sure that applies to what Coach Gowan told us very early in these hearings, that particularly a coach who was close to his athletes,
15 watching his daily progress, change of physique, change in performance, change in mood, would be able to give a very good assessment of the anabolic steroid likelihood.

THE WITNESS: They can make an educated
20 guess.

THE COMMISSIONER: Yes.

THE WITNESS: But you never know 100 percent. But you can make a pretty good educated guess based on a whole number of factors, not any one individual
25 one.

MR. BOURQUE: We know how close the relationship of a coach is, Mr. Commissioner. I'm not questioning that.

THE COMMISSIONER: That's right.

5 MR. BOURQUE: But I'm talking about the distant observer now, somebody who drops in from time-to-time to look at an athlete.

10 THE COMMISSIONER: Well, that's not -- Mr. Crother is not a distance observer. He is a person who has been following track and field through his own experience and the following years and the question I put to him was someone like that.

MR. BOURQUE: I'm sorry, someone like?

15 THE COMMISSIONER: Well, someone who's had this keen interest in track and field over the years, either as an athlete, as a coach, perhaps as someone who's part of the governing body.

MR. BOURQUE:

20 Q. But as I understand it, your evidence is you agree with Dr. Pipe that if you were to look at a man in short pants you could not tell if he was on steroids?

25 A. Well, how could you tell? You might make a -- you might make a -- say, well, you look at an

individual and say, well, reject that one. You might say, the other one, there is a possibility. But if you've got ten characteristics and nine of them suggest the possibility ---

5 THE COMMISSIONER: Suppose you saw the photograph of the man in short pants six months before and six months afterwards?

 MR. BOURQUE: Fair enough.

 THE WITNESS: See, most of these
10 sprinters -- for example, the ones in the Mazda club, not most of them but a lot of the ones in the Mazda club, I in fact saw them as high school athletes because I started the meets in which they were running. So you see the progression.

15 THE COMMISSIONER: You see the change.

 THE WITNESS: You see some of the changes and you see the performances and you see at what age the performances are -- that their times are going.

 You can tell, for example, an athlete like
20 myself who didn't -- who didn't mature physically -- and naturally mature physically until I was 18 or 19. I mean, I never started running international performance until I was 20.

 Bruce Kidd who stopped growing, for example,
25 when he was literally, 15 or 16 did very, very little

growing after the age of, say, 17 is running international performances by the time he's 17, 18, 19. If, you know, that's where the nature is taking it's course.

5 If you see an athlete who is -- who is, for all intents and purposes, physically mature at age 16 and then at age 21 his times all of a sudden start dipping down, you ask why. That's just one of the reasons, one of the characteristics and if you're intuitive and if you understand people, that's just one of the -- one of the
10 characteristics, one of the factors that would influence your thinking. I mean ---

MR. BOURQUE:

Q. Well, let's take a specific example.
15 Ben Johnson? What characteristics would you or did you observe in his career that would lead you to believe he was taking steroids and when did you draw that conclusion?

A. Comments -- when did I draw the conclusion?

20 Q. Yes?

A. Probably about '84.

Q. And upon what basis?

A. On the basis of comments that other friends that I've had in the sport making some comments
25 about it. The physical changes and the observation that

I -- that I made earlier in that Johnson, in my view,
literally changed track and field in that he was the first
of the -- of the sprinters who literally develops his
speed from his strength, as opposed to a Carl Lewis kind
5 of a sprinter, who at age 17 or 18, is literally a world
class sprinter.

That was not the case, in my view and my
understanding, was not the case with Johnson. That most
of his improvements and most of his changes were
10 concurrent with his -- the developing physique and
occurred in his 20's, not in his teens. Again, that's
just one of the many factors.

The way they run, sprinters -- and I'm sure
that somebody as sophisticated as Mr. Francis would point
15 out, the kind of graphs that they do on the way the sprint
race develops and a fellow who's running by strength,
there is a certain amount of speed that they get there.

And then the objective is to get strong
enough so that you don't start slowing down. You maintain
20 the speed. That was essentially the difference between
Johnson and Lewis. That's why Lewis could beat Johnson
over 200 metres. There is a whole lot of characteristics
that -- that one looks at.

Q. Well, let's ---

25 A. The age at which the individual ---

Q. Let's deal with them. You said that there's the question of strength in which Mr. Johnson appeared to have developed in his 20's rather than his teens. And you found -- do you find that remarkable?

5 THE COMMISSIONER: I think Mr. Johnson was 22 in '84, wasn't he, 22 years of age about right?

MR. BOURQUE: A little older than that, sir, I think.

THE COMMISSIONER: Pardon?

10 MR. BOURQUE: December '61.

THE COMMISSIONER: He was 26 in '88.

MR. BOURQUE: He would be 22 or 23 in '84, yes.

THE COMMISSIONER: Yes.

15 MR. BOURQUE:

Q. I'm sorry, you were saying now that you noted that he had developed his strength in his 20's rather than his teens and I want to know what's remarkable about that?

20 A. Nothing remarkable except that in the classic sprinting, in the way sprinters traditionally develop prior to that, is that if they were not possessed of this tremendous speed as a teenager, they very rarely
25 either stayed in the sport long enough or they didn't

develop as sprinters until their 20's. Sure there were examples of people.

5 Otis Davis, I guess was a quarter miler from the U.S. who at age 27 or 28, in either '60, I guess it was, came out of the armed services and won a gold medal in the 400 metres. But that's not normal. That does not usually occur in track and field.

10 Q. We heard from Mr. Johnson's coach, Mr. Francis, that in 1980, Mr. Johnson emerged as a junior track star on the international scene, on the world scene. At that time he was age 18. So he did have a record as a teenager, according to his coach. Were you not aware of that?

15 A. Well, that was to some extent but not to the -- not to the level -- somebody in this country, historically in Canada, who was ultimately going to achieve the success that somebody like Ben Johnson, literally would have been the best -- the best sprinter in the country by the time they're 18 or 19. I mean, 20 that's -- historically that's what has happened.

Q. There can be exceptions?

A. About every -- sure. Sure there could. Sure there could.

Q. Mr. Johnson's evidence was that ---

25 THE COMMISSIONER: Excuse, Mr. Bourque. I

think we'll take a short break now. Are you almost finished? I don't want to hurry you. We'll take a break now.

MR. BOURQUE: Close. Thank you, sir.

THE COMMISSIONER: Morning break, thank you.

---Morning adjournment

THE COMMISSIONER: Mr. Bourque?

MR. BOURQUE: Thank you.

EXAMINED BY MR. BOURQUE: (cont'd)

Q. Mr. Crothers, before we recessed, I was at the point of asking you or rather pointing out to you, that we've had abundant evidence here that Mr. Johnson, who we were discussing, had started taking anabolic steroids ---

THE COMMISSIONER: He wasn't only referring to Mr. Johnson. He was giving his opinion as to the ability to give an educated judgment about athletes. Isn't that what you were saying?

THE WITNESS: I think so.

MR. BOURQUE: I understand with 95 per cent accuracy.

THE COMMISSIONER: Yes.

THE WITNESS: That was my guesstimate.

MR. BOURQUE: Right.

THE WITNESS: I may be wrong.

5

MR. BOURQUE:

Q. The evidence we have received is that Mr. Johnson embarked upon a course of steroid use in 1981 and I believe he, himself, said on the stand the other day that he also started weight training?

10

A. Yes.

Q. Around the same time and if, three years later, you formed the opinion that Mr. Johnson was taking steroids, was that based in any way upon the increase in his physical bulk?

15

A. Well, sure, that would be one of the factors that would have been impressed upon me. In other words, in conversations with other people, knowledge that people ---

20

Q. Please, if we can just deal with one at a time, sir?

A. Yes.

THE COMMISSIONER: One of the factors.

THE WITNESS: That would be one of them, yes.

25

MR. BOURQUE:

Q. One of the factors. Now, the increase in physical bulk, sir, how could you tell in 1984 whether that was attributable in whole or in part to steroid use?

5 A. You couldn't. It's a -- the steroids didn't do it. The weightlifting did it.

Q. Right.

A. I mean, that would be the assumption. But what happens in -- the kind of observations and kind
10 of connection you would make is that -- where it's not exclusive but if the person is doing a lot of weightlifting and because of the connection between steroids and weightlifting and the suggestion of steroids in strength, that the possibility would exist and one
15 would make the connection that if they're using a lot of weightlifting then there would be a greater degree of probability that the individual was using steroids than if they were not doing any weightlifting.

Q. And was that your ---

20 A. In other words, there would be no point in using it, if they weren't going to do any weightlifting.

Q. Was that your thinking in 1984?

A. Probably.

25 Q. Well, do you recall?

A. Well, it wasn't in issue with me at that time.

Q. And I wonder if, at that time, in 1984, you had any acquaintances or friends within the CTFA that you might have shared this opinion with?

A. Oh, there was a suspicion in '84 that, sure, there were rumors or that were suggestions that Ben -- or if not in '84, certainly shortly thereafter, was using anabolic steroids. Yes, I heard -- I'd heard rumors or heard stories or heard suggestions to that effect, yes.

Q. And these suspicions you shared based upon your observation of changes in physical characteristic in Mr. Johnson?

THE COMMISSIONER: And performance.

THE WITNESS: One of the characteristics, yes.

MR. BOURQUE:

Q. And performance?

A. Certainly. See, I don't think that Johnson was a world class sprinter when he was 18. But, I mean, again that was part of my inventory of data. I would not have considered him to be a world class sprinter at age 18.

Q. Well, just so I can gauge the strength

of your belief and the conclusions you draw from these observations, we know that the CTFA relies upon urinalysis to detect steroid use and do you believe strongly enough in your judgments based upon these observations of physical characteristics and performance that the CTFA might expand its program of steroid detection by relying upon such observations themselves and proceeding accordingly?

A. I'm not sure how you could. But no, I'm not a technician. I mean, I'm ---

Q. I think what we're getting at here, sir, is that the CTFA is going to be asked -- asked, I suppose, why, when they walked in the gyms, they couldn't form the same opinion you did by observing these physical characteristics and performances. I just want to gauge the strength of your beliefs based upon these athletes?

A. Individually, they probably made the same observations that I did.

Q. And are your observations or your judgements or beliefs based on those observations strong enough that you would consider pointing out a particular athlete and saying, let's start an investigation on him or is it just grounds for further suspicion?

A. Oh, if perhaps -- perhaps the difference would be in what one would perceive as your

responsibility. I happen to be of the belief that if you're going to be in that position of responsibility, then it's inherent upon you to make some kinds of judgments notwithstanding the legal -- the legal consequences of doing so. But I would -- you know, my own personal philosophy would say that if I'm going to put myself in that position, as being a director of the Track and Field Association, and that's in an issue, I would want to satisfy myself that I had -- that I had taken the steps required to either to prevent it or certainly not to aid or to abet or to assist in the use of the drugs.

I say that from -- from this perspective in that the standard reply -- I mean, I've even heard it as late as this year was that, well, we didn't have the proof. But I know, from our observations, that that was the standard thing. Is that they want somebody to point out and they want somebody to swear and say that, 'I saw this.' You know, 'I'm going to testify and I'm going to swear,' and I'm going to put the athlete, or somebody else, put them on the line and if they were willing to go up and say, well, I saw X athlete being injected with the -- with this steroid, then we'll do something about it. Otherwise, we're not going to do anything about it.

That was the perception that I have about what was going on in track and field. Is it because there

was no strong desire to prevent or to stop the use of drugs and certainly not to the extent where anybody was willing to put themselves on the -- on the line as taking some initiative to stop it. That they would use as their rationalization or excuse for not doing so was, well, there is no legal grounds for doing so. To me, that's the rationalization.

Q. Well, thank you, sir.

A. Maybe ---

Q. Let me ask you the question, again.
Should the CTFA directors ---

THE COMMISSIONER: I think he said in his opinion, rightly or wrongly, they should have done something by way of some sort of investigation. Is that what you're saying?

THE WITNESS: I would, you know, I would think so.

MR. BOURQUE:

Q. Well, you would think so?

A. Yes.

Q. Based upon what, these observations that you've related to us as well as the rumors that you heard? Is that what you're saying? I'm just asking you, is that what you're saying?

5 A. Well, if I was in that position, I mean, I would do one of two things. I would either want to do it or I would get out of it. You know, I wouldn't -- personally, I mean, I wouldn't be happy being in that position and having the suspicions or the feelings that I had and continued in that -- in that position. I couldn't have done it.

10 I mean, I would have felt more responsibility or -- I felt -- would have felt strongly in my beliefs, my ethical beliefs that I would not have wanted to encourage it. I would have tried to do something about it. And if I couldn't have done it successfully, then I would not have continued in that position.

15 Q. Well, as long as you're stepping into the shoes of a CTFA director, let me ask you ---

 A. I'm not a director, though.

20 THE COMMISSIONER: You're putting him in that shoe, Mr. Bourque. He hasn't put himself there. You're asking him what he would have done.

 MR. BOURQUE:

25 Q. Let me ask you then; would you have felt that it was fair to the athlete whom you suspected, based on your observations of physical characteristics and

performance was using anabolic steroids, to start an investigation of him on no further evidence, bearing in mind the publicity that that would attract?

5 A. You're asking a hypothetical question inasmuch as you're saying just based upon one -- on one -- on one observation and taking completely out of context of the reality of the situation, that there's usually more than one characteristic or usually one more than one factor involved.

10 Q. No, I didn't limit it to one characteristic. You said that based on observations of physical characteristics and performance, you could, with 95 per cent accuracy, picked out a steroid user? I'm asking you now what you ---

15 A. No, no. I said -- what I said was that if you had given me a list of the Canadian Track and Field team, that I could have -- I could have probably with a 95 per cent accuracy, given you an indication as to who I thought was using anabolic steroids and who wasn't.

20 Q. Based upon what?

 A. Maybe I wouldn't have.

 Q. Based upon what?

 A. Just on -- you know, given a profile of the athletes, what I knew of the athletes -- a profile of
25 the athletes, what their ages were, what their performance

is, a little bit of an indication of their performance, what I had picked up in conversations with friends inside the sport, I think I could have probably come pretty close.

5 Q. And then having made that ---

A. I don't want to take that test. But
I ---

10 Q. Having drawn that conclusion, sir, would you then, if you were a director of the CTFA, feel it proper to commence an investigation of that athlete based on that?

15 A. If I was administrative -- if I was responsible for administering Canadian funds to support those athletes, I would have felt an obligation to do so, to make -- to -- I would have, personally, felt under some kind of an observation to be sure that the funds were expended properly and we weren't encouraging people to do things which I would have felt would have been improper. That's not to say that the others would have felt that
20 way. But that's the way I would have felt.

Q. I take it then that your answer is, yes, you would have started an investigation?

A. Probably.

25 Q. And having commenced that investigation and realizing it would be dangerous for such an

investigation to fail, what would you use for evidence?

THE COMMISSIONER: Well, please, Mr.

Bourque. He said he would make an investigation. I think that's -- he's made his position, what he would have done
5 if he had been in a position of responsibility. I don't know what more you can ask the witness. He said he would either do something about whatever he could do by way of investigation or get out. Isn't that what you said?

MR. BOURQUE: Well, I'm entitled, I think,
10 sir, to bring -- to try and bring home to him the consequences of what he said and ask him to comment on those.

THE COMMISSIONER: I think he's fully
aware ---

MR. BOURQUE: I'm sorry, sir?

THE COMMISSIONER: You've asked him these questions, Mr. Bourque, and he's given you, I think, the best answers to the his ability that he can.

MR. BOURQUE: All right. Well, I'm just
20 looking for another answer, sir. I think it's appropriate that we explore the consequences of what he said. It's all hypothesis, I understand that. But he started it.

THE COMMISSIONER: It's your hypothesis, and he's answering you. In fact, these hypothetical
25 questions.

MR. BOURQUE: No, I believe we started, sir, with your question, whether or not someone as conversant with track and field over the years as he was, as knowledgeable about it, could tell from observation of physical characteristics and performance levels over the years, whether an athlete was on steroids and I have to explore that.

THE COMMISSIONER: To be given what might be called a very informed opinion.

MR. BOURQUE: Yes. And I'm -- now he's gone from that to saying that actions should have been taken, in his view, upon such -- upon such knowledge and I wish to explore the consequences of that with him. I don't wish to leave that.

THE COMMISSIONER: Well, the investigation would either prove something or fail, I guess.

MR. BOURQUE: I want to suggest, sir, that it would, in all likelihood fail, without having got the appropriate evidence.

THE COMMISSIONER: We don't know, Mr. Bourque, do we?

MR. BOURQUE:

Q. Well, in any event, the CTFA, as you're well aware, has relied upon your analysis to detect

steroid use in the past. That's your information, is it?

A. That's the information that I have. I mean, to what extent they've utilized that, the information that I have is that urinalysis has not been
5 terribly successful in detecting the use of anabolic steroids either. And that's part of the --

THE COMMISSIONER: That is, after competition testing?

THE WITNESS: Well, I mean, the athletes
10 have -- I mean, all the evidence I see is that the use of anabolic steroids is pretty widespread. You can probably count on two hands the number of athletes that have been caught.

THE COMMISSIONER: At one stage, I think
15 what was being relied on was post-competition testing.

THE WITNESS: Yes, very ineffectual.

THE COMMISSIONER: Well, I think we've
certainly heard about that.

THE WITNESS: Yes.

THE COMMISSIONER: It may not have been
20 known to be ineffectual until a recent day.

MR. BOURQUE:

Q. Finally, sir, you stated you had some
25 discussions with Mr. Francis some time ago about steroid

use and upon that it became apparent to you that he was a sprinter who used steroids and I just want to straighten this up with you. In the late '60's and early '70's, did you say that?

5 A. In that time frame. The background of this is that my roommate, at that time, was the head of the physical education at Jarvis Collegiate where Charlie went to high school. My wife used to teach at Jarvis Collegiate.

10 So, Charlie -- and I used to -- I started the track meets in the city when Charlie was the city champion and, in fact, OFSSA champion in the sprints. And Charlie went off, I think, to Stanford University and when he came back home in the summertime or at Christmas break,
15 he would often come up to see my roommate, or ex-roommate at the time, I can't remember if I was married or still single at the time, and I can remember on one occasion, we had a discussion about -- and I think that -- I'm not sure whether Charlie initiated it or I initiated it -- about
20 steroids. It was a very casual discussion and he implied to me that he had used or had been exposed to the anabolic steroids when he was at university in Stanford.

I mean, I haven't talked to Charlie in the last ten or fifteen years about the use of anabolic
25 steroids.

Q. All right.

A. Our relationship was cordial but we were at different -- we were at different ends of the spectrum with reference to philosophies or ethical considerations about the use -- with that kind of methods of training. We didn't agree on -- on that at all.

Q. Was Mr. Francis' advice to you at that time that he had used steroids at Stanford University?

A. My recollection is that he had indicated that he had been exposed to them and either tried them or was very close to trying them. Again, I don't remember -- all I remember was that some time prior to the '72 Olympics that I would have to -- I would have to check to find out what year it was that he graduated from high school. I'm not sure of the exact year that he graduated from Jarvis and went to Stanford but it would have been on an occasion, probably at Christmas time when we were training in Hart House, that he came back for the Christmas holidays and came up and was at one of our workouts.

Q. All right. I don't believe, sir, that you've contradicted Mr. Francis at all. But in fairness to him, I believe he said his first use of anabolic steroids was in 1973. Your information really is not that much different than his then?

5 A. Not really. I mean, whether it was '71, '72 -- my recollection was that I thought it would have been prior to the '72 Olympics in Munich but whether it's six months before, six months after, I would have no way of -- it wasn't an issue with me at the time.

MR. BOURQUE: Thank you, Mr. Crothers.

10 THE COMMISSIONER: Mr. Crothers. Any other questions? Well, thank you very much for your assistance, Mr. Crothers. We appreciate your coming forth and giving us the benefit of your knowledge and experience, a new sample, thank you.

MS. CHOWN: Thank you Mr. Commissioner. We have Mr. Milt Otty as our next witness and he's present in the hearing room.

15 THE COMMISSIONER: All right.

MILTON BRUCE OTTEY: Sworn

THE COMMISSIONER: Mr. Ottey.

Ms. Chown?

20

EXAMINED BY MS. CHOWN:

Q. Thank you, Mr. Commissioner. Mr. Ottey, you were born in Jamaica on December 29, 1959?

A. Yes, ma'am.

25

Q. And you moved to Toronto in 1970 when

you were age 10?

A. That's right.

Q. That was to join your mother who had
come ahead of you?

5 A. That's right.

Q. You're going to have to speak up a
little bit so we can pick up your voice there.

You attended public high school and high
school in the Toronto area?

10 A. That's right.

Q. You were at high school, you attended
L.S. Beatty School, Sir William Osler and Timothy Eaton?

A. That's right.

15 Q. As well, attended Lamaroux Collegiate
in Scarborough as your final ---

A. No. I already graduated from Timothy
Eaton and seeing that it was coming up to the Olympics
Games for 1980, I chose not to take a scholarship and went
to Lamaroux to better my academics, to ensure that I would
20 do better in university.

Q. You were in Lamaroux in 1979?

A. '79, yes.

Q. Following your courses there, I
understand that in 1980, you attended the University of
25 Texas at El Paso and you attended that school on an

athletic scholarship?

A. That's right.,

Q. What was your course of study there?

A. Physical education.

5 Q. You were at the University of Texas
until 1985?

A. That's right.

10 Q. And I understand your current plans
are, in fact, to return to that university this fall and
to complete the courses necessary for you to obtain a
degree from there?

A. That's right.

15 Q. You'd be also working as a graduate
assistant this fall, as well?

A. Yes.

20

25

Q. Going back in time when you left the university in 1985, I understand that you returned to Toronto at that time and began attending the University of Toronto?

5 A. That's right.

Q. Did you continue in your physical education studies here?

A. Yes, I did.

10 Q. And you were at the University of Toronto from 1985 up until the spring of 1987?

A. Yes, but I took a year out leading up to the Olympic Games.

Q. So, you were out of school from 1987 through to the end of 1988?

15 A. Yes.

Q. And you returned briefly to school at the University of Toronto in January of this year?

A. That's right.

20 Q. And as we have indicated your current plans are to return to Texas in the fall, and on the athletics scene your plans are to compete in the Commonwealth Games which will be held in February of 1990 in New Zealand?

A. That's right.

25 Q. You have some interest in --

THE COMMISSIONER: I am sorry, when are the Games, Mr. Ottey?

THE WITNESS: February.

THE COMMISSIONER: Of 1990?

5 THE WITNESS: Yes, I believe so. January or February, one of those.

THE COMMISSIONER: Right.

MS. CHOWN:

10 Q. You have some interest in pursuing a coaching career if you are able to in the future?

A. Yes, I would like to maybe pass on my knowledge that I learned in the 12 years of track and field.

15 Q. Now, Mr. Ottey, I would like to turn to your athletic background.

As we know, you are, of course, a world class high jumper, and before we go to the details of how you got into high jumping, one thing that you pointed out to me is that throughout your career many people commented to you that you were too short to be a high jumper. How tall are you?

20

A. I stand I guess with spikes on I am five feet nine-and-a-half inches tall.

25 THE COMMISSIONER: Five-ten and a half?

THE WITNESS: Five-nine and a half.

THE COMMISSIONER: That's not short.

THE WITNESS: Well, when you are standing
against somebody who stands at six feet-four, six
5 feet-three and up, that's a bit short.

THE COMMISSIONER: In relative terms it is,
I guess.

MS. CHOWN:

10 Q. Are most of your competitors six feet
and taller?

A. Average height for a high jumper is
anywhere between six-three and up.

THE COMMISSIONER: Six-three?

15 THE WITNESS: Yes.

MS. CHOWN:

20 Q. In fact, you have told me that you,
given your height, in fact, you jump almost two feet
higher than your height of five-nine and a half?

A. Right now other than one person, who is
that is Franklin Jacobs, I have the highest differential
of any man jumping over his head.

25 Q. The differential is simply the
difference between your height and the height that you can

jump?

A. Yes, that's right.

Q. Now, going back in time, I understand that you started to become involved in athletics when you were in public school, in fact doing some high jumping when you were grade 5 and 6 on your arrival in Canada?

A. Yes, that's right.

Q. You also participated in relay races in sprints and middle distance running as well?

A. Well, at that time in public school you did a variety of things. And I basically did just about everything.

Q. And that continued, in fact, when you went on to high school where you continued to perform and compete in a variety of sports including basketball, volleyball, and badminton as well as pursuing your interests with respect to high jump?

A. That's right.

Q. I understand as well you did long jump and triple jump?

A. And hurdles and steeplechase. You name it, everything except the throws and pole vault.

Q. When was it that you first began to get some specific coaching as far as high jump went?

A. My first year at Sir William Osler. I

expressed interest in track and field, and the coach took an interest in me and showed me my first thing to do is just to measure out a mark. And from there I just kept doing it. And now I think I am pretty well versed in how to do everything in high jump, just about almost.

Q. In fact, after you had received some of the early coaching that you did at Sir William Osler, I understand that you went on in 1977 to compete in the OFSSA Championships, and that was your first year of competition in those championships?

THE COMMISSIONER: What championships was that? I can't hear.

MS. CHOWN: The Ontario Federation of Secondary School's competition.

THE WITNESS: That was my first competition in the collegiate level, yes.

MS. CHOWN:

Q. In the high jump in that first competition you placed 13th?

A. Just about, yes.

Q. And as well in 1977 I understand you joined the Scarborough Optimists Club?

A. Yes.

Q. And you remained a member of that club

until when?

A. Until the club split into various groups, which is Mazda Optimists, Brooks Optimists, and whatever Optimists you can find.

5 Q. All right. Who was your coach with the Scarborough Optimists club?

A. Corrado Degasperani.

10 Q. During then your high school years you were competing both for your high school and as well through the Scarborough Optimist Club?

A. Yes.

15 Q. And I understand your progression in the high jump was impressive and happened reasonably quickly. In fact, by the winter of 1978 was the first time that you jumped two meters; is that correct?

A. That's correct.

Q. And by the end of competitive season in 1978, you had achieved the mark of 2.11?

A. That's correct.

20 Q. We have heard earlier, of course, that you went off to Texas in 1980. And was it your practice while in you were in Texas to compete in the NCCA meets?

A. Yes, it was.

Q. Who was your coach at Texas?

25 THE COMMISSIONER: What's the University in

El Paso, is that Texas?

THE WITNESS: Yes, Texas -- a branch of University of Texas, and it's in the city of El Paso, so.

THE COMMISSIONER: Right.

5

MS. CHOWN: Called U Tex?

A. Yes.

Q. Who was your coach at the University of Texas?

10

A. John Waddel.

Q. Can you tell me whether you noticed any difference in the level of competition once you started to participate in intercollegiate meets in the United States?

15

A. Comparing Canada to the United States collegiately is -- it's different. A meet in Canada can probable win at two meters, which I was doing, two meters, 2.10 compared to the United States when I went to go into a competition the guys don't really start jumping until after 2.18.

20

So, the push was to get better because for you to win you have to jump higher. So, you know, I would start at 2.15, when in Canada I would be winning at 2.15.

25

Q. That was your base level in the United States, and you really had to do significantly better than that to place?

A. That's right.

Q. I believe you also indicated to me that that was your first exposure to high jumpers who were competing at the international level?

5 A. Yes, it was.

Q. And they were in fact supportive of and encouraging to you in your development as a high jumper?

A. Yes. As far as mental-physical training, whatever have you, jumpers, we are a very
10 closely-knit group.

Q. In the summers while you were attending university of Texas I understand that you would return to Ontario and competed in meets in Canada?

A. That's right.

15 Q. In fact in or about 1982 you also started to compete on the European circuit?

A. Well, I have been competing in the European circuit ever since 1979, or in the international class, but as far as me going to Europe on my own, it
20 really started in 1982.

Q. In the sense of you being invited to attend particular meets, do you mean?

A. Yes, because at that time at the end of that year I voted best high jumper in the world. And
25 leading up to it, I guess I went unbeaten and the meet

promotors wanted me.

Q. What was the distance that you jumped to become the best high jumper in the world in 1982?

A. At the end of that '82 season, I jumped
5 two meters-32, seven feet seven-and-a-quarter inch.

Q. Seven feet seven-and-a-quarter inches?

A. Yes.

Q. In 1983 I understand at least as far as
your training that took place in Ontario that Carl
10 Georgevski out of the University of Toronto club became
your coach?

A. Yes, he did.

Q. All right. And you continued, of
course, to be coached by Mr. Waddel in Texas?

A. That's correct.

Q. We have heard as well that from 1985 to
'87 you were at the University of Toronto and I take it
that you continued your competitions both for the
university and on the national and international circuit
20 during that you period?

A. What was that about university?

Q. 1985 to '87 you were continuing to
compete in Canada as well in Europe?

A. Yes, I was.

Q. You have told me that in the spring of
25

1987 you had a difficult year because you experienced some problems with your knee that effectively kept you out of competition for most of 1987?

5 A. Yes, my knee swoll up like a balloon in the first part of the outdoor season and it just kept nagging at me . I could do everything. I could run, I could lift, but for some reason I couldn't jump. And it seriously curtailed my season to prepare for the Olympic Games itself.

10 Q. In January of 1988, you noticed some improvement in your knee and you began then active training for the 1988 Olympics in Seoul?

 A. That's right.

15 Q. Now, I would like in fact to turn to some of the highlights of your competitive career. And if I could go back first of all to 1978, you participated I believe for the first time at the Canadian national indoor championships placing fifth overall, and that was with a jump of 2.05 meters?

20 A. That's right.

 Q. In 1979, you participated in the national outdoor championships placing first in your event which is high jump. You went as well to the Pan-American Games that year and where were they held?

25 A. Puerto Rico.

Q. You were third in the high jump?

A. Yes.

Q. That year you also participated in the world cup trials placing first at the trials and fifth in your event in the world cup itself?

A. That's right.

Q. In 1980 at the indoor championships in Canada you were first with a jump of 2.17 meters?

A. This is indoors?

Q. Indoors?

A. Yes.

Q. And you also that year participated in the outdoor championships in June placing second?

A. That's right.

Q. You participated in a series of Alternate Olympic meets that year held in Netherlands, West Germany, Poland, Philadelphia, and Japan, taking a variety of positions: third, seventh, fourth and so on?

A. That's right.

Q. In 1981, again in the national outdoor championships, you were first. And in the world cup trials you were first and once again fifth in the world cup itself?

A. I like the placing; that's right.

Q. You are comfortable with that placing.

1982, again at the Toronto Star indoor games held in January of that year, you were second. That year in June you participated in the NCAA championships placing first with a jump of 2.32 meters?

5 A. That's right.

Q. As well some 16 days after the NCAA championships you participated in the U.S. outdoor championships placing first?

A. That's right.

10 Q. And you continued with some meets in Europe to return home to Canada in August of that year to participate in the national outdoor championships taking first place?

A. That's right.

15 Q. And finally in 1982 as we have heard earlier you went to the Commonwealth Games and you were first in your event?

A. That's right.

20 Q. Turning then to 1983, once again at the national outdoor championships you were first?

A. Yes.

Q. You also participated that year in the world championships that year placing ninth?

25 A. Yes. I should also take note that in the beginning of that season I also broke my leg in

January.

Q. Thank you, I meant to mention that.

So, you broke your leg in January of 1983. So, you had some recuperative time that you had to experience?

5 A. That's right.

Q. Turning then to 1984, in January that year, you placed first at the Ottawa International Indoor Games?

A. That's right.

10 Q. In February you were second at the Toronto Star indoor games. You also in March of that year participated in the NCAA championships once again placing fourth?

A. That's right.

15 Q. You came back in June to Canada for the national outdoors retaining your first-place position?

A. That's right.

20 Q. And, of course, 1984 was the year of the Los Angeles Olympics and you went as part of the Canadian national team?

A. Yes.

Q. Placing sixth in your event?

A. That's right.

25 Q. Turning then to 1985, once again you went to the Ottawa International Indoor Games in January

placing fourth?

A. Yes.

Q. You also attended the Toronto Star Indoor Games and had a third-place finish?

5 A. Yes.

Q. And that year as well participated in the U.S. National Championships taking third place?

A. That's right.

10 Q. Again in August you participated in the Canadian outdoor championships and you were second?

A. Yes.

Q. And the World University Games were also held that year; you were fourth in those, and second in the World Cup Trials held that same year?

15 A. That's right.

Q. Turning to 1986, again first place in the Ottawa International Indoor Games in February. And you were first in the National Outdoor Championships held in June of that year?

20 A. Yes.

Q. 1986 was of course the year of the Commonwealth Games and you placed first in the high jump at that event, and your distance was 2.30 meters?

25 A. Yes, but also I had broken the Commonwealth record at the Canadian championships also.

Q. That was at the outdoor championships?

A. Outdoor championships, yes. It was at 2.32 and I broke it at 2.33 meters.

Q. 2.33 meters was your distance?

A. Yes.

THE COMMISSIONER: Just as a matter of interest, is it harder or easier to jump outdoor than indoors?

THE WITNESS: It depends how big the surface is.

THE COMMISSIONER: I see.

THE WITNESS: Indoors it is very limited in size, and sometimes you can't get your full approach on there.

THE COMMISSIONER: All right. So, you --

THE WITNESS: But then outdoors sometimes you have a lot of grass, also.

THE COMMISSIONER: I see.

MS. CHOWN:

Q. Turning then to 1987, you placed first in the National Indoor Championships and first in the Outdoor Championships that year?

A. That's right.

Q. In 1988, you had a busy season,

attending the Hamilton Spectator Indoor Games placing first. You were third at the Ottawa meet, second at the Harry Jerome Classic held in June of 1988?

A. That's correct.

5 Q. And first in the national outdoor championships in August of last year with a jump of 2.25 meters?

A. That's right.

10 Q. You then went to Europe for a Canadian-Italy dual meet and a European tour and of course as we referred to earlier competed in the Seoul Games as part of the Canadian team?

A. Yes.

15 Q. and you were not all too happy with your performance there. You placed 17th in your event?

A. Yes. It was very disappointing. It was the first time in my entire career that I have never made a finals in a major competition. And that was due to the night before the qualifying, about one o'clock I woke
20 up, and as they say, it was a light case of food poisoning.

Q. In 1989, you have continued to keep up the meets that you have done on the indoor circuit attending the Hamilton Spectator Games and winning your
25 first place finish at the indoor championships?

A. That's right.

Q. And you are continuing in active competition today?

A. Yes, I am.

5 Q. And you told me that in 1988 you were in fact ranked 30th in the world as a high jumper, but that was not a particularly good year for you. And that at other times you have been ranked higher than that?

A. That's right.

10 Q. Mr. Ottey, are you a carded athlete at this time?

A. I am a C card.

Q. And is your -- are you the first ranked Canadian high jumper at this time?

15 A. Yes.

Q. And have you ever had an A card throughout your competitive career?

A. I have been A card since I believe '82, I believe all the way up until '85.

20 Q. I am sorry, which card did you hold from '82 to '85?

A. A.

Q. And at the present time are you a C card now?

25 A. I am a C card now, yes.

THE COMMISSIONER: I am sorry, C?

THE WITNESS: C, yes.

MS. CHOWN:

5 Q. Mr. Ottey, I would like to --

THE COMMISSIONER: Was that because your performance wasn't quite as good in '88? How does that work?

10 THE WITNESS: Yes, that has to do with it, but -- yes, basically that's how the COA grades it is on how you compare in the world scale.

THE COMMISSIONER: I see.

MS. CHOWN:

15 Q. Mr. Ottey, I would like now if I could to turn with you to the question of steroids and other performance-enhancing drugs. Can you tell me first of all when you were first made aware of or heard rumors about athletes being involved with such substances?

20 A. I would say roughly about 1982.

Q. At that time you were a student at the University of Texas at El Paso?

A. Yes, I was.

25 Q. Is that where you first heard this kind of talk?

A. I first heard it and took notice of it really when it surrounded myself. And like you state, I started jumping really well around 1982 and rumors started coming around that I was also on steroids.

5 Q. You are saying that people were spreading rumors that because of your impressive performances they were attributing those to -- suggesting that you were on anabolic steroids?

A. Yes.

10 Q. You yourself became aware that those were the rumours that were out there?

A. I was aware of it, but I never took serious contemplation of it because I just thought it was people talking, they don't know so they just talk.

15 Q. In fact, have you yourself ever been involved with anabolic steroids or any other performance-enhancing drugs?

A. No, I haven't.

20 Q. Apart from the rumors about yourself, did you hear rumors about other athletes either within your event or within track in general?

A. There are many rumours floating around within the track circle, who was on steroids, and who was not on steroids.

25 Q. Was that a topic of some discussion

within your event of high jump?

A. Not with my fellow high jumpers, no.

Q. I don't believe that you attended the
Pan-American Games in 1983. Those were held in Caracas,
5 Venezuela.

A. No, I didn't.

Q. Were you aware of any of the
discussions or reactions of athletes who perhaps did
attend those games and came back with stories about drug
10 testing and the reactions to it?

A. Well, I remained in Europe for various
competitions, but through the media and also through
people who went down and also came back to Europe, it was
pretty rough because people were running scared. People
15 were really worried whether or not they were going to get
caught or not because supposedly the IAAF had come out
with a new type of testing that was supposedly far more
sophisticated than anything else they ever had.

Q. You were saying people were worried
20 they were going to be caught, that is test positive, for
banned substances?

A. Yes, people were really worried.

Q. Now, as far as coming back to your own
event of high jump, did you ever run into a situation, I
25 am thinking particularly of an incident you described that

occurred in 1984 at the Harry Jerome meet involving one of your competitors?

A. Yes, I have.

5 Q. Can you tell us what happened at the Harry Jerome meet in 1984 with respect to testing as it applied to the athletes in your event.

A. Well, before the competition I was -- not myself was informed, but my agent was informed that certain placings would to have been tested and --

10 Q. That's certain placings in the high jump?

A. Yes, that's one. I believe it was first place and third place.

15 Q. Is that the kind of information that athletes usually are advised of prior to a competition?

A. I am not sure if we are advised, but we know, or at least more or less most people do know what placings will be tested or not.

20 Q. By that question I am simply asking you in the sense are you suggesting that athletes managed sometimes to find out that kind of information rather than having it officially announced by --

25 A. Yes, because the way things seemed to work in international track world is the agent calls up X promotor, and, you know, they make their deals or whatever

they have to make. Then they call back again and inquire whether or not there will be testing.

And I believe the meet promotor either says yes or no, and then questions, you know, what are the placings that are supposed to be tested, how is it going to be done.

Q. So, in this event before competing you received information that the first place finisher and third place finisher in the high jump would be tested?

A. Yes.

Q. Did you observe anything unusual take place during the competition?

A. Yes, during the competition, which I won, and --

Q. So, you were the first place finisher?

A. Yes. And this particular gentleman, he fought not to take third place. And he was really worried. He ended up taking third place.

Q. He didn't fight hard enough?

A. Well, he didn't make the bar, in other words. And he immediately packed up and left. And to my knowledge, he did not take the drug test.

Q. Now, carrying forward from 1983-84 when you first began to hear rumours, did you continue to have discussions, receive information from athletes from that

time up to and including the present about the extent of use of steroids and other drugs in track?

5 A. The more I got involved the more I saw and I heard people talking about drugs and who was supposedly on it, who is not taking it, what they are taking, and the typical thing was just that and speculating who is on drugs and not.

10 Q. Were you able to observe any changes, that is did it appear to you that there were more people were becoming involved in the use of these substances as the years went on?

15 A. Well, the rumours were that just about almost everybody is on drugs. And I really did not concern myself about it until I arrived back here in Toronto. And I noticed the conversations, the different temperaments in my teammates-clubmates. That's when I think I started getting bombarded with it. The knowledge, people are talking, your friends who sit around and you are hit chatting and the subject about steroids come up
20 you know.

Q. In fact you are close friends, as I understand it, with Mr. Desai Williams?

THE COMMISSIONER: I can't hear you, Ms.
Ms. Chown.

25

MS. CHOWN:

Q. You are friends with Mr. Desai Williams?

A. I -- I was.

5 Q. When you are referring to teammates, you are referring to having discussions with members of the Scarborough Optimist club when you came back to Toronto from time to time from Texas?

A. Yes.

10 Q. Was there ever a point at which you yourself, Mr. Ottey, considered perhaps becoming involved personally with the use of anabolic steroids?

A. Yes, I have, between 1985 and present day.

15 Q. Can you tell us what went into your thinking at that time and what decision you made?

A. Well, I chose not to take drugs, steroids. And it was just -- it is very hard to compete. The pressures are really very hard on the international athlete, not only from within themselves, but also from the press, and also the other people who are taking drugs.

20 And you have your -- I had my opinion formed who I thought was on drugs, and that's turned out to be quite true. And I just got tired of seeing my
25 performances, good performances, be compared to

outstanding performances that are drug-induced.

Q. In fact, as we have heard, through that period 1983 was the year that you broke your leg, 1984 you placed sixth at the Olympics. You indicated to me when we talked earlier you felt that the whole scene in track and field was changing somewhat during that period?

A. Yes, it was, as far as financially because this is my job in an off-kind of a way. If I don't jump, I don't get paid. And in the early eighties, you could make good money if you were in the top 10 in the world. After '84, the shoe companies and sponsors, they got a little bit more selective where it boiled down to about top five.

So, it's like more pressure for an athlete to perform. The better you perform, the better you get paid.

So, you were getting the elite people. Now, I have heard a lot of things, and this might be getting off track a little, but a lot of people are under the impression that international athletes make mega bucks, and that's not true.

Q. I am sorry, make mega bucks?

A. Mega bucks, yes. That is not true. You have probably less than one percent of people like Ben Johnson and Carl Lewis who makes kind of money.

Q. You are saying that what you noticed during the mid-eighties that money that was perhaps available through endorsements to a wider variety of athletes was now being focussed on a few top athletes?

5 A. The elite people, that's right.

Q. Did that in any way contribute to the pressure that you felt or other athletes felt to try and be one of that very small group of elite athletes?

10 A. I believe so. It is very hard to, you know, stand next to somebody or get in a lane next to somebody and think to yourself, yes, I am going to do this clean and watch your performance look like mediocre when in essence your performance is really very good.

15 And it is a thing that you got to look within yourself. I found out why is the reason why you are doing this sport. Is it because of the financial gains or because you start doing it because you love doing it.

20 I personally I love track and it did a great deal for me as far as myself, my self esteem, my confidence within myself because if you look back in my -- when before I even started track, I was very shy, my self worth was nowhere, really. I didn't know what I was going to do with my life.

25 So, my decision not to take drugs was

because I did not want to take away from anything that I have already accomplished.

Q. By that you mean what you had been able to accomplish clean, as a clean athlete?

5 A. Clean, that's right.

Q. I wanted to come back to one point you raised which you said it was of some frustration to you as an athlete to have your own performance, which you felt to be a good one compared to an outstanding performance that you suspected that might come from an athlete who was involved with these substances. And in fact you told me about an incident that occurred to you in 1986 when you broke the Canadian record, and there was some conversation that you had with a newspaper reporter. Can you tell me about that, please.

15 A. Well, I just as you mentioned broken the Canadian Commonwealth record and, you know, reporters around me, there is kids around me and like it's just really a fantastic feeling.

20 Q. Your own reaction to having broken the record was what?

A. Yes, it was just fantastic. I mean I was just feeling real, real great. And one reporter looked at me and said "you know, Milt, but that's nowhere even close to a world record, is it?"

Q. I am sorry, that's nowhere close to a world record"?

A. To a world record, yes. And I just looked at her and I just went -- it is let you think, you know, is it all people are interested in is world records. And if that's what meets want, and if that's the public wants, you know, you have to take drugs in order to do that.

THE COMMISSIONER: That was a media response, though, it wasn't the public.

THE WITNESS: Yes, but the media is what feeds the public. And if the public keeps reading, yes, records being broken, records being broken, they don't really care about anything else other than records. That's all they wanted to see is records be broken, and so does the companies and promoters and, you know, it's a vicious circle.

THE COMMISSIONER: So, they thought that breaking the Commonwealth record wasn't really worth --

THE WITNESS: That was my view.

THE COMMISSIONER: -- was not really recognized as a great achievement?

THE WITNESS: That's right, that was my feeling at the time.

MS. CHOWN:

Q. In fact, I think you went on --

THE COMMISSIONER: That's too bad.

5 MS. CHOWN:

Q. -- to comment to me that the press coverage that you saw of you breaking that record was very minimal?

A. Very, very minimal, yes.

10 Q. You have just said a number of factors went in to your decision that you weren't going to take steroids and you did not want to take away from what you had done in the past without the assistance of these drugs.

15 And can you comment as well as we touched on at the beginning of my questions to you the fact that you say you are shorter than the average high jumper and what effect has that had on your will to succeed and what have you had to do to compensate for that?

20 A. Well, when I started high jumping many coaches thought that I am too short. In fact Andy Higgins thought that I wouldn't jump too high. He said my ceiling would have been like 2.18. And when I did get a scholarship to the United States, the head coach was
25 against having me on a full scholarship because he says he

is too short, he will never jump as high. And I myself trained hard and accomplished what I accomplished with my own being, if you will.

And it is really fulfilling when you beat
5 somebody and you stand right beside them and you are
staring them right in the chest and, you know, they are
looking down at you. And they just -- you know what they
are thinking. It's like "where are you coming from". And
for me to look at that, and I look at it so often, and I
10 beat them, especially in 1982, you know, I went beaten in
26 straight competitions, and I am jumping against guys
like Dietmar Mogenburg, you know, Patrik Sjoberg, Carl
Thranhart (phon). These guys are tall, I mean extremely
tall.

15 And I don't know if I can explain it, it
just to accomplish what I have accomplished within myself,
it means nothing to nobody else but to myself.

Q. I think as you commented to me it was
of particular importance to you to have your technical
20 ability, you had to place great stress on that, because
you did not have perhaps the margin of error that taller
high jumpers might have?

A. That's right. Because I am shorter, I
can't afford -- whenever I put my shoes on I am competing,
25 I have to be technically sound.

Q. Did you have any knowledge about side effects of steroids, Mr. Ottey, and if so, did that play any part in your decision not to take these drugs?

A. Once again my knowledge of steroids was very limited when I was jumping, when I started jumping internationally. You heard the rumors about being sterile, about, you know, the forehead growing, the chin elongating, you know mustache, big bulk bodies. I have never experienced or seen any of that personally.

But because of my educational background also, I was placed in a vocational school when I came to Canada, and I have -- I was also put in schools where I was in classes with handicapped kids, kids in wheelchair, retarded kids. And my own feeling at the time was that I was stupid, I was dumb, and I am handicapped.

And since then, through track, I have come up and realized that why would somebody take even one percent chance of taking something that would lead to having his or her child deformed. I personally would not consider that at all because there is too many deformed kids out there right now, why are we going to add to that.

Q. So, your concern about side effects was also part of your decision --

A. That's right.

Q. -- not to take steroids. Mr. Ottey,

threw the participation that you have had in high jump on
both the national and international scene and the
discussions you have had with athletes, are you able to
indicate to us whether the use of performance-enhancing
5 drugs is a significant factor in your event?

10

15

20

25

A. I've heard rumors that X and X is on steroids but -- I tend to believe some of them, yes. I'd say a good deal of athletes are on steroids, yes, in my sport.

5 Q. And by your sport, you mean in --

A. In high jumping, yes.

Q. Okay. And finally, Mr. Ottey, we've heard a great deal of evidence at this Inquiry about what various people think might be of assistance to deal with the problem of drugs in sport. Do you have any views that you would like to share with us as to what your sport might do to deal with this problem?

A. My sport -- we're talking in Canada or the rest of the world?

15 Q. Well, let's stick with Canada, first of all?

A. Well, I think as far as Canada goes, I think we need people who care about the sport. As far as the CTFA goes and the government goes, we need people who have a sport in mind, not their only wellbeing.

20 My experience, through the 12 years of international competition, through the CTFA, there is a definition lack of accountability. Nobody is willing to stand up and says this is what the CTFA is for or this is what it was formed for. Nobody is willing to make a stand

25

and says, yes, we're going to follow the rules. We're going to enforce this. I've seen coaches and athletes break rules and nothing has been done about it because nobody wants to rock the boat.

5 Q. Do you have any views on what the effect of the random testing program that has been instituted by the Canadian Track and Field Association will do?

10 A. We've been asking -- I've been on TV saying that we need random testing for years. Nothing has been done about it. Unfortunately, we had a situation like this that occurred to get it implemented. It will stop it to a sense, yes. I think by testing people out-of-competition is the only way you can find who's
15 dirty because, in the past, the only people who got caught in after-competition testing are the ones who are stupid or just experimenting with it. The people who know what's going on, who have the doctors, who have the knowledgeable coaches about when to get off, when not to take it, what
20 to do and whatever, we need something to say you don't know when to take it because you don't know when you're going to be tested.

MS. CHOWN: Thank you, Mr. Ottey, those are the questions I have.

25 THE COMMISSIONER: Thank you. Any

questions. Mr. Bourque?

MR. BOURQUE: Not my day.

EXAMINED BY MR. BOURQUE:

5 Q. Mr. Ottey, you're aware that the CTFA
has an out-of-competition testing program in place right
now?

A. It's about time.

Q. And do you know when it actually was
implemented?

10 A. Not really but I know when Otto Jelinik
was in office, he came out and said something about he
wants random drug testing and then after that statement
was made, I haven't heard anything about it since.

15 Q. Well, I just wonder how much of your
evidence is a matter of how much you've heard. Do you
know that an out-of-competition testing program has been
in the developmental stages and been debated in the CTFA
and amongst the athletes, the evidence is, for at least
three years now?

20 A. To my knowledge, there's a lot of
athletes out there who has been crying out for random
testing.

Q. Yes, and there's also been some, we've
heard, including David Steen who, at one time, opposed it.
25 Did you know that?

A. Yes.

THE COMMISSIONER: Well, that's not quite fair. He testified that -- he wanted one himself, as you know. He wrote a letter saying he wanted to be tested.

5 MR. BOURQUE: That was in '88, sir.

THE COMMISSIONER: No, but he said what he opposed was because it wasn't clear how it was going to be carried out and how it was to be conducted, as a matter of principal, not his own views being issued.

10 THE WITNESS: David believed in random testing ---

MR. BOURQUE: Just a minute, Mr. Ottey, I'm sorry. Mr. Steen's evidence was that his position, he felt an obligation to take a position by virtue of his position on the athlete's counsel.

15 THE COMMISSIONER: Yes, because there was a concern -- he said he wasn't certain about the process but he personally favored random testing and asked to be done in that letter that he wrote.

20 MR. BOURQUE: I would go even further. I don't think, as a member of the athlete's council, he was opposed to random testing. He was opposed to -- he wanted to know what the procedure was, et cetera.

THE COMMISSIONER: Exactly.

25

MR. BOURQUE:

Q. So, there was opposition, if not in principal, to out-of-competition testing by athletes such by David Steen and the evidence is going back to 1986.

5 Were you aware of that?

A. I'm not sure I understand your question?

Q. I'm just asking you if you knew back in 1986, athletes of the calibre of Mr. Steen were opposed to certain aspects of the out-of-competition testing program discussed by the CTFA?

10

A. Yes. But ---

THE COMMISSIONER: Go ahead?

THE WITNESS: I too am opposed to certain aspects of random testing. For instance, I would not be too happy if somebody come knocking on my door asking for a urine sample.

15

What the concern, as far as the athletes who want random testing, our concerns are how it's implemented, as Dave Steen is. I personally believe that once I put my foot on the track, I should be eligible to be tested. But as for coming, knocking on my door or showing up at a party that night and asking for a urine sample, I think that's really out of the question.

20

25

MR. BOURQUE:

Q. I see. So -- I'm sorry. You're saying, you should only be tested in what circumstances?

5 A. As a carded athlete or as a national team athlete, once you put your foot in a track stadium, or in the realm of track and field, you should be allowed to be tested.

10 As far as your own private life goes, come knocking at your door to ask for a urine sample, I think that's really out of the question, that's really invasion of privacy. I think that it should be implemented but with strict guidelines of when and where.

15 Q. I see. So if I told you the CTFA program now in place invasions a doping control officer knocking on your door and collecting a sample, you'd be opposed to the CTFA program as it now exists?

A. I would try and change that particular rule, yes.

20 Q. And the CTFA, the evidence will be, if it hasn't been already from Mr. Steen, took into account revisions athletes wished to make to the CTFA out-of-competition testing procedure. Do you think that they should have ignored those suggested revisions from the athletes?

25 A. Once again, I'm not sure exactly what

you're asking.

Q. I'm asking you if the CTFA took into account the athletes' proposals regarding the out-of-competition testing procedure, was it wrong of the CTFA to do so, in your view?

A. No, because the athletes do have a say in what's going on. The CTFA is built up for the athletes.

THE COMMISSIONER: Excuse me a minute, Mr. Bourque. I'm sorry, Mr. Bourque, go ahead.

MR. BOURQUE:

Q. Yes. Now, you spoke, as well, about a meet -- the Harry Jerome meet in 1984 and your having had knowledge through your agent of the selection procedure for testing in the high jump event at that meet?

A. That's right.

Q. And was it just that particular meet that you had this knowledge or was it every meet you competed in domestically here?

A. I recall that meet because of the incident that happened.

Q. Did you have similar knowledge with respect to every Canadian meet you participated in?

A. I knew I was going to be called every

Canadian championship I went to.

Q. Because you would finish first?

A. Yes.

Q. All right. But, I suggest to you then,

5 sir, that in the case of the Harry Jerome meet in 1984, you having acquired this knowledge was an exceptional case. It was a leak, wasn't it?

A. Considering the fact that we have very few international competitions, yes, it's a leak because Harry Jerome is probably the only meet that we have that invites international athletes.

Q. Right. And finally, sir, I just wish to ask you to confirm certain of your evidence and get some clarification of it. Is it your evidence that your performance levels, your personal performance levels, increased rapidly over a short period of time from 1981 to 1982?

A. No.

Q. Now, is there an increase in your performance levels from the '81 to '82 period?

A. An increase by six, seven centimeters.

Q. I suggest to you that that is a substantial increase?

A. Yes.

Q. And that occurred over the one season

from 1981 to 1982?

A. It occurred in 1982.

Q. All right. Within the season?

A. Yes.

5 Q. And how old were you in 1982?

A. I don't know. How old was I -- 22.

Q. I suggest to you 23 years old?

A. Yes, that's about.

10 Q. And when you were younger, I believe
you have told us that there were those who had thought
your prospects as a high jumper was limited, is that
correct?

A. Yes. Not because of my jumping ability
but just because of my height.

15 Q. Certainly because of your ---

A. Stature.

Q. Physical stature?

A. Yes.

20 Q. And in any event, in 1982 when your
performance levels increased, there were apparently, if
one judges from rumors, there were people who thought you
must have taken anabolic steroids to accomplish this
higher level, is that right?

A. That's right.

25 Q. Had you, in fact, taken steroids?

A. No.

Q. Did you think you deserve to be investigated because of this observation of these people?

A. I give you free will to investigate anything you wish.

Q. No, I'm not suggesting you should have been. I'm asking you if in 1982 you would have thought you deserved to be investigated because some people thought you had taken anabolic steroids?

A. If anyone wanted to, I told them they can.

Q. No. I understand that, sir. I'm not suggesting for a moment. I hope you don't think -- I'm not suggesting for a moment you ever took steroids. I'm just asking you, in 1982, in the circumstances we have just outlined, where you had an increase within the season of your performance levels and no one had expected much of your earlier in your career because of your physical stature and then there were the rumors that you had taken steroids, do you think you deserved, on that basis, to be investigated by the CTFA? Would that have been fair?

A. First of all, before I add to your point, I have also many increases when I first started. I went from 2 -- 195 to 211. That was when I first started. So, for me it wasn't unlikely for me to go that extra five

centimeters in '82.

To your question whether or not it is for the CTFA to investigate me because of the so say rumors, that is far different than what Mr. Crothers placed upon you. There are many instances where the CTFA, the athletes themselves, have knowledge, not proof of knowledge, but knowledge of experience and the CTFA hears them and knows them.

Q. Sir, with respect now, I didn't ask you for a lecture on this point.

A. I'm not giving you a lecture.

Q. I asked my question ---

THE COMMISSIONER: I think in fairness, you were cross-examining in light of Mr. Crothers said.

MR. BOURQUE: That's exactly right.

MR. BOURQUE:

Q. I asked him a simple question. I'd like an answer?

A. It's not a simple question because if I say yes or I say no, I'm either making your point in something that was asked earlier.

Q. That's right. So, you're trying to argue ---

A. No, I'm not making that. It's not just

a cut and dry situation.

THE COMMISSIONER: You're saying it depends on the circumstances. You asked him, would it be fair if he were investigated because of this rumor and he says
5 that's not the case that Mr. Crothers was speaking of.

THE WITNESS: In my case, there was one or two people talking about it. Nobody in Canada was saying anything about it. Nobody in the rest of the world really was saying anything about it. It was one or two cases of
10 people saying, there is a chance of.

THE COMMISSIONER: And his past and his record would not indicate any dramatic improvement the that Mr. Crothers is speaking of.

MR. BOURQUE: I have your point and the
15 witness's point. Thank you, Mr. Commissioner.

THE COMMISSIONER: Thank you. Any other questions. Excuse me. Just wait for me, sir. All right

Well, thank you very much for your evidence and your example and for the great record you've had to
20 date. I wish you success in the latter few years of your career and particularly for giving encouragement to these shorter people.

Thank you very much for your evidence. Wait there for a moment.

25 Ms. Chown, I think you're having trouble

with counsel?

MS. CHOWN: Yes, Mr. Commissioner. We do have witnesses available that touch on Dr. Astaphan and we have been having some difficulty arranging the availability of counsel for Dr. Astaphan. I'm not sure exactly where matters stand at the moment.

THE COMMISSIONER: These things happen. I think we'll adjourn until Thursday morning, I think, would be more appropriate.

MS. CHOWN: Thank you, sir.

THE COMMISSIONER: I understand. Because it's not clear what's going to happen tomorrow. We'll adjourn to Thursday morning at ten o'clock. All right, thank you.

These things happen. It's hard to get everybody together, especially when they have lawyers.

---Whereupon the proceedings are adjourned to recommence Thursday, June 22, 1989 at ten o'clock.

